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JOURNAL

OF THE

ASSEMBLY

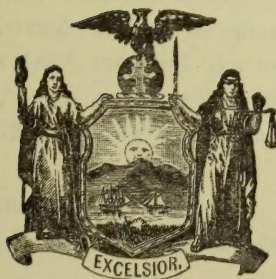
OF THE

STATE OF NEW YORK

AT THEIR

ONE HUNDRED AND TWENTY-FOURTH SESSION.

VOLUME IV.



ALBANY:

JAMES B. LYON, STATE PRINTER.

1901.

APRIL 9.]

On motion of Mr. Conger, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2344) entitled "An act authorizing the village of Ellenville, in the county of Ulster, to raise money by issuing bonds for the establishment of a gas or electric light plant for said village" (Int. No. 1300), was read the second time.

On motion of Mr. Thorn, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2345) entitled "An act authorizing an investigation as to the expediency and cost of establishing a municipal electric lighting plant in and for the city of Syracuse" (Int. No. 1364), was read the second time.

On motion of Mr. Traub, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2343) entitled "An act to amend chapter 694 of the Laws of 1900, entitled 'An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of the city of Rochester and others against the State'" (Int. No. 1016), was read the second time.

On motion of Mr. R. Gardiner, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2347) entitled "An act to amend chapter 677 of the Laws of 1892, entitled 'The Statutory Construction Law'" (Int. No. 1422), was read the second time.

On motion of Mr. Dougherty, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2352) entitled "An act to amend section 1 of chapter 378 of the Laws of 1883, entitled 'An act in relation to receivers of corporations,' relative to actions brought against corporations" (Int. No. 1520), having been announced for a second reading,

Mr. Fish moved to amend as follows:

Page 1, line 1, after the word "Section" insert the figure "1."

Mr. Speaker put the question whether the House would agree to said motion of Mr. Fish, and it was determined in the affirmative,

Said bill, as amended, was then read the second time.

[ASSEMBLY JOURNAL.]

891

On motion of Mr. Fish, said bill was ordered reprinted and placed on the order of third reading and referred to the committee on revision.

The bill (No. 1527) entitled "An act to amend chapter 338 of the Laws of 1893, entitled 'An act in relation to agriculture, constituting articles 1, 2, 3, 4 and 5 of chapter 33 of the general laws,' relative to the sale of poultry, and the Penal Code, relative to violations of the Agricultural Law" (Int. No. 1186), having been announced for a third reading,

On motion of Mr. Sherer, said bill was laid aside retaining its place on the order of second reading.

The bill (No. 2349) entitled "An act to amend the Greater New York charter, in relation to setting apart certain piers in the borough of Manhattan for recreative purposes" (Int. No. 1487), was read the second time.

On motion of Mr. Keenan, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2350) entitled "An act to amend chapter 105 of the Laws of 1891, entitled 'An act to revise the charter of the city of Buffalo,' and the several acts amendatory thereof and supplemental thereto, in relation to the payment of pensions to matrons of the police force" (Int. No. 1499), was read the second time.

On motion of Mr. Schneider, said bill was placed on the order of third reading and referred to the committee on revision.

The Senate bill (No. 506, Assembly reprint No. 2340) entitled "An act to amend section 82 of chapter 683 of the Laws of 1892, known as the Executive Law, with respect to notaries public acting in more than one county" (Rec. No. 46), was read the second time.

On motion of Mr. Mansfield, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2380) entitled "An act to amend the Tax Law, in relation to expense incurred by county treasurers in publishing notice to redeem land sold for taxes" (Int. No. 681), was read the second time.

On motion of Mr. J. L. Smith, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2385) entitled "An act to amend the Highway Law, in relation to the use of highways" (Int. No. 1537), was read the second time.

On motion of Mr. Seymour, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2384) entitled "An act to enable the county of Erie and the town of Grand Island to construct a bridge from the town of Grand Island across the east branch of the Niagara river to the main land, and to issue bonds therefor" (Int. No. 1516), was read the second time.

On motion of Mr. Patton, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2377) entitled "An act to amend chapter 360 of the Laws of 1898, entitled 'An act to amend chapter 413 of the Laws of 1897, entitled An act relating to State finance, constituting chapter 10 of the general laws, and known as the State Finance Law, in reference to the education fund,' in relation to the compensation of loan commissioners in connection with the sale of land acquired by foreclosure" (Int. No. 228), was read the second time.

On motion of Mr. Brill, said bill was placed on the order of third reading and referred to the committee on revision.

The Senate bill (No. 1261) entitled "An act to amend chapter 321 of the Laws of 1898, entitled 'An act to make the office of sheriff of Oneida county a salaried office, and to regulate the management thereof'" (Rec. No. 356), was read the second time.

On motion of Mr. Marson, said bill was placed on the order of third reading.

The bill (No. 2378) entitled "An act to provide for the construction of a vertical wall on the south side of the Erie canal, from the west side of bridge No. 131 of section 10 of the Erie canal, and making an appropriation therefor" (Int. No. 320), was read the second time.

On motion of Mr. Phipps, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2379) entitled "An act to amend the Tax Law, relative to appeals to the State Board of Tax Commissioners" (Int. No. 393), was read the second time.

On motion of Mr. Hatch, said bill was placed on the order of third reading and referred to the committee on revision.

The Senate bill (No. 501, Assembly reprint No. 2390) entitled "An act making an appropriation for the construction of buildings for the New York State Hospital for the Treatment of Incipient Pulmonary Tuberculosis" (Rec. No. 145), was read the second time.

On motion of Mr. Allds, said bill was placed on the order of third reading and referred to the committee on revision.

The Senate bill (No. 982, Assembly reprint No. 2414) entitled "An act to amend the Penal Code, relating to the sentencing of convicts to State prisons" (Rec. No. 255), was read the second time.

On motion of Mr. Bryan, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2417) entitled "An act to amend the Penal Code, in relation to penalties" (Int. No. 1519), having been announced for a second reading,

On motion of Mr. Weekes, said bill was recommitted to the committee on codes, retaining its place on the order of second reading.

The bill (No. 2415) entitled "An act to amend section 56 of the Code of Criminal Procedure, relating to jurisdiction of courts of special sessions" (Int. No. 1405), was read the second time.

On motion of Mr. Landon, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2418) entitled "An act to amend chapter 128 of the Laws of 1899, entitled 'An act to incorporate the city of New Rochelle,' as amended by chapters 462 and 550 of the Laws of 1900, in relation to playgrounds for children" (Int. No. 1572), was read the second time.

On motion of Mr. Cooley, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1787) entitled "An act to amend the Tax Law, in relation to redemption from tax sales" (Int. No. 1308), having been announced for a second reading,

On motion of Mr. Allds, and by unanimous consent, said bill was ordered placed on the second reading calendar for Wednesday next.

The bill (No. 2405) entitled "An act to amend section 18 of chapter 21 of the Laws of 1886, entitled 'An act providing for commutation of sentences for good behavior of convicts in the prisons and penitentiaries in this State'" (Int. No. 1615), was read the second time.

On motion of Mr. Bryan, said bill was placed on the order of third reading and referred to the committee on revision.

By unanimous consent,

Mr. Coughtry called up the bill (No. 2036) entitled "An act to amend chapter 441 of the Laws of 1899, entitled 'An act to create a commissioner of jurors in the several counties of this State,' in relation to making the list of jurors" (Int. No. 978), heretofore laid aside on the order of second reading.

On motion of Mr. Coughtry, and by unanimous consent, said bill was read the second time and ordered to a third reading.

On motion of Mr. Coughtry, and by unanimous consent, said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES	92
{ NOES	1

Those who voted in the affirmative, were

Adams	Dempsey	Holsten	O'Connell	Schneider
Adler	Dickey	Hyman	O'Malley	Sherer
Ahern	Dooling	Juengst	Patton	Smith A R
Allston	Duross	Kaiser	Phipps	Smith J E
Apgar	Dusinbery	Keenan	Plank	Smith J T
Babcock	Ellis	Kelly	Platt	Smith W H
Baum	Fancher	Kelsey	Price	Snyder
Bedell	Fish	Landon	Prince	Stevens
Bennet	Fitzgerald	Leggett	Rainey	Swarts
Bradley	Fordyce	Lewis T D	Remsen	Thorn
Brooks	Frisbie	Mains	Richter	Traub
Bryan	Gardiner R	Mansfield	Rider	Ulmann
Burns	Gardner C J	Mathews	Rierdon	Vacheron
Cadin	Graeff	McKeown	Robinson	Walrath

Cooley	Halpin	McQuade	Rogers	Waite
Costello	Hanford	Meister	Ross	Weber
Coughtry	Harris	Nye	Salyerds	Weekes
Darrison	Hatch	O'Brien	Scanlon	Wilson H
Davis	Henry			

In the negative,

Van Name

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Ross called up the bill (No. 2092) entitled "An act to amend the charter of the city of Watervliet, relative to the board of electric light commissioners" (Int. No. 1468), heretofore laid aside on the order of third reading.

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{	AYES	93	}
{	NOES	00	}

Those who voted in the affirmative, were

Adams	Daly	Hammond	McInerney	Ruehl
Adler	Davis	Harburger	McKeown	Salyerds
Allds	DeGraw	Hasenflug	McQuade	Sanders
Allston	Dickey	Hawkins	Morgan	Schneider
Apgar	Dooling	Hitchcock	Nye	Sherer
Babcock	Duross	Holsten	O'Brien	Smith J E
Baker	Dusinbery	Honeck	O'Malley	Smith J L
Bell	Egan	Irwin	Patton	Smith S W
Bennet	Ellis	Juengst	Phipps	Smith W H
Blackwell	Fancher	Kaiser	Platt	Stevens
Brill	Fish	Keenan	Price	Sullivan
Bruckner	Fitzgerald	Kelly	Rainey	Swift
Bryan	Fordyce	Kelsey	Remsen	Traub
Burns	Frisbie	Knipp	Reynolds	Ulmann
Cadin	Galbraith	Landon	Rider	Waite

Cook	Gardner C J	Lewis M E	Roberts	Weber
Coons	Geoghan	Lewis T D	Rodenbeck	Weekes
Cotton	Griffith	Mains	Ross	Wilson H
Coughtry	Halpin	Marson		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Fowler called up the bill (No. 1936) entitled "An act to amend chapter 451 of the Laws of 1867, entitled 'An act to incorporate the village of Mayville, in the town of Chautauqua, county of Chautauqua, and to repeal its present charter,' in relation to the amount of the annual village tax " (Int. No. 1391), heretofore laid aside on the order of third reading.

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 104 }
 } NOES 00 }

Those who voted in the affirmative, were

Adams	DeGraw	Hawkins	McQuade	Rogers
Adler	Dempsey	Henry	Meister	Ross
Ahern	Dickinson	Hitchcock	Morgan	Salyerds
Allds	Doughty	Holsten	Nye	Scanlon
Allston	Graeff	Hyman	O'Brien	Seymour
Axtell	Dusinbery	Juengst	O'Connell	Sherer
Babcock	Ellis	Kaiser	O'Malley	Smith J E
Baker	Fancher	Keenan	Patton	Smith J T
Baum	Fisher	Kelly	Phillips	Smith S W
Bell	Fitzgerald	Kelsey	Plank	Snyder
Bennet	Fowler	Knipp	Platt	Stevens
Bradley	Frisbie	Landon	Poth	Swarts
Brooks	Gardiner R	Leggett	Prince	Thorn
Bryan	Gardner C J	Lewis M E	Rainey	Treat
Burnett	Hallock	Lewis T D	Reilley	Vacheron
Cadin	Hammond	Lynn	Reynolds	Van Name
Cook	Hanford	Mains	Richter	Walrath

Cooley	Harburger	Marson	Rider	Weber
Costello	Harris	Mathews	Rierdon	Weekes
Coughtry	Hasenflug	McInerney	Robinson	Wilson H
Darrison	Hatch	McKeown	Rodenbeck	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Rider offered for the consideration of the House a resolution in the words following:

Resolved, That the committee on the judiciary be discharged from the further consideration of the Senate bill No. 1239, entitled "An act giving to the Catskill public library power to acquire and to hold and dispose of such real and personal property as the purposes of the corporation shall require, and to legalize, validate and confirm gifts, grants, devises and bequests heretofore made to it in its corporate name" (Rec. No. 359), and that said bill be placed on the order of second reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

On motion of Mr. Rider, and by unanimous consent, said bill was read the second time and ordered to a third reading.

On motion of Mr. Rider, and by unanimous consent, said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 145 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Daly	Hammond	McMillan	Ruehl
Adler	Darrison	Hanford	McQuade	Salyerds
Ahern	Davis	Harris	Meister	Sanders
Allds	DeGraw	Hasenflug	Morgan	Scanlon
Allston	Deaney	Hatch	Nye	Schneider
Apgar	Dempsey	Hawkins	O'Brien	Seymour
Axtell	Dickey	Henry	O'Connell	Sherer
Babcock	Dickinson	Hitchcock	O'Malley	Smith A R

Baker	Dooling	Holsten	Orr	Smith J E
Baum	Doughty	Honeck	Patton	Smith J L
Bedell	Duross	Hyman	Phillips	Smith J T
Bell	Dusinbery	Irwin	Phipps	Smith S W
Bennet	Egan	Juengst	Plank	Smith W H
Blackwell	Everett	Kaiser	Platt	Snyder
Bradley	Fancher	Keenan	Poth	Stevens
Brill	Fish	Kelly	Price	Sullivan
Brooks	Fisher	Kelsey	Prince	Swarts
Bruckner	Fitzgerald	Knipp	Rainey	Swift
Bryan	Fitzpatrick	Landon	Reilley	Thorn
Burnett	Fordyce	Leggett	Remsen	Traub
Burns	Fowler	Lewis M E	Reynolds	Treat
Cadin	Frisbie	Lewis T D	Richter	Ulmann
Conger	Gardiner R	Lynn	Rider	Vacheron
Cook	Gardner C J	Mains	Rierdon	Van Name
Cooley	Geoghan	Mansfield	Roberts	Waite
Coons	Graeff	Marson	Robinson	Walrath
Costello	Griffith	Mathews	Rodenbeck	Weber
Cotton	Hallock	McInerney	Rogers	Weekes
Coughtry	Halpin	McKeown	Ross	Wilson H

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate sent for concurrence, a resolution in the words following:

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return of Senate bill No. 1124, entitled "An act making an appropriation for the House of Refuge for Women at Hudson" (Rec. No. 269), for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

Also the following:

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return of Senate bill No. 840, entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Cordelia C. Gifford against the State for damages alleged to have been

sustained by her, and to render judgment therefor" (Rec. No. 171), for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

Also the following:

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return of Senate bill No. 804, entitled "An act to amend the Public Health Law by adding thereto a new section to be known as section 207b, relative to cadavers in certain counties" (Rec. No. 193), for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

Also the following:

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return of Senate bill No. 1122, entitled "An act making an appropriation for the Society for the Reformation of Juvenile Delinquents" (Rec. No. 308), for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK—EXECUTIVE CHAMBER,
ALBANY, April 9, 1901.

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment, Assembly bill No. 278 (Int. No. 264, Senate reprint No. 1221), entitled "An act to provide for

the support and maintenance of the several State prisons, and the Eastern New York Reformatory, and for the ordinary repairs thereof."

B. B. ODELL, JR.

Mr. Bryan moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 99 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Davis	Hammond	Mains	Sanders
Adler	DeGraw	Harburger	Mansfield	Scanlon
Ahern	Delaney	Harris	Marson	Schneider
Allston	Dempsey	Hatch	McInerney	Sherer
Axtell	Dickey	Hasenflug	McMillan	Smith J E
Babcock	Dickinson	Hawkins	Meister	Smith J T
Baker	Doughty	Hitchcock	Nye	Smith S W
Bedell	Dusinbery	Holsten	O'Connell	Smith W H
Bennet	Egan	Hyman	Orr	Snyder
Bradley	Ellis	Irwin	Phillips	Stevens
Bruckner	Everett	Juengst	Phipps	Sullivan
Brooks	Fish	Kaiser	Platt	Swift
Bryan	Fitzgerald	Keenan	Prince	Traub
Cadin	Fitzpatrick	Kelly	Reilley	Ulmann
Cook	Fowler	Knipp	Reynolds	Van Name
Cooley	Gardiner R	Landon	Rider	Waite
Costello	Geoghan	Leggett	Roberts	Weber
Cotton	Graeff	Lewis M E	Rodenbeck	Weekes
Coughtry	Griffith	Lewis T D	Rogers	Wilson H
Darrison	Halpin	Lynn	Ruehl	

Mr. Bryan moved that said bill be recommitted to the committee on ways and means, with instructions to report the same forthwith, amended as follows:

Page 1, lines 1 and 2, strike out the words "three hundred and twenty-five thousand and " and insert the words "three hundred thousand."

Mr. Speaker put the question whether the House would agree to said motion of Mr. Bryan, and it was determined in the affirmative.

Mr. Allds, from the committee on ways and means, reported said bill amended as directed, and the same was ordered re-printed and placed on the order of third reading.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK—EXECUTIVE CHAMBER,
ALBANY, April 9, 1901.

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment, Assembly bill No. 2098 (Int. No. 1192), entitled "An act to amend chapter 249 of the Laws of 1893, entitled 'An act to incorporate the Pythian Home,' in relation to the disposition of the fund."

B. B. ODELL, JR.

Mr. S. W. Smith moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 87 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Dempsey	Hawkins	McInerney	Ruehl
Adler	Dooling	Holsten	McMillan	Salyerds
Ahern	Doughty	Honeck	McQuade	Scanlon
Allds	Dusinbery	Irwin	Meister	Schneider
Apgar	Everett	Juengst	Nye	Sherer
Babcock	Fancher	Kaiser	O'Connell	Smith J E
Baum	Fitzgerald	Keenan	Orr	Smith S W
Bell	Fordyce	Kelly	Phillips	Smith W H
Bruckner	Fowler	Kelsey	Plank	Stevens
Burnett	Galbraith	Landon	Poth	Sullivan
Burns	Gardiner R	Leggett	Price	Swarts
Conger	Gardner C J	Lewis M E	Rainey	Thorn
Cooley	Graeff	Lewis T D	Remsen	Treat

Costello	Hallock	Lynn	Richter	Vacheron
Cotton	Hammond	Mansfield	Rierdon	Waite
Daly	Hanford	Marson	Robinson	Weber
Davis	Harris	Mathews	Rodenbeck	Weekes
Delaney	Hatch			

Mr. S. W. Smith moved that said bill be recommitted to the committee on charitable and religious societies, with instructions to report the same forthwith, amended as follows:

Page 2, line 17, strike out the word "section" and insert in lieu thereof the word "chapter."

Mr. Speaker put the question whether the House would agree to said motion of Mr. S. W. Smith, and it was determined in the affirmative.

Mr. Patton, from the committee on charitable and religious societies, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The Senate returned the bill (No. 1143) entitled "An act to provide for the immediate sewerage and drainage of the Twenty-ninth and Thirty-second wards of the borough of Brooklyn of the city of New York, and to regulate the payment of assessments for the construction thereof" (Int. No. 950, Senate reprint No. 1290), with a message that they have concurred in the passage of the same, with the following amendment:

Page 1, line 2, after the comma insert the words "in his discretion."

Mr. Remsen moved to concur in the Senate amendment.

Mr. Speaker put the question whether the House would concur in said amendment, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 100 }
 { NOES 00 }

Those who voted in the affirmative, were

Adams	Coughtry	Geoghan	Mains	Rierdon
Adler	Daly	Griffith	Mansfield	Roberts
Allde	Davis	Hallock	Marson	Rodenbeck

Apgar	DeGraw	Hammond	Mathews	Ross
Axtell	Delaney	Hanford	McInerney	Salyerds
Baker	Dempsey	Harris	McMillan	Sanders
Bedell	Dickey	Hasenflug	McQuade	Seymour
Bennet	Dickinson	Hawkins	Meister	Sherer
Bradley	Dooling	Henry	Nye	Smith J E
Brill	Doughty	Holsten	O'Brien	Smith J T
Brooks	Dusinbery	Hyman	O'Connell	Smith W H
Bryan	Ellis	Juengst	Orr	Stevens
Burnett	Everett	Kaiser	Phillips	Sullivan
Burns	Fancher	Keenan	Phipps	Swift
Cadin	Fitzgerald	Kelsey	Platt	Thorn
Conger	Fitzpatrick	Knipp	Price	Treat
Cook	Fordyce	Landon	Prince	Van Name
Cooley	Frisbie	Lewis M E	Reilley	Waite
Costello	Gardiner R	Lewis T D	Remsen	Weber
Cotton	Gardner C J	Lynn	Richter	Wilson H

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendment of the Senate thereto.

Mr. R. Gardiner offered for the consideration of the House, a resolution in the words following:

Resolved, That Assembly bill No. 774, entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Joseph C. Farmer against the State of New York" (Int. No. 133), be returned to the Governor.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Daniel E. Conway, mayor of the city of Troy, returning Assembly bill No. 1519, entitled "An act to define and describe the limits and boundaries of the city of Troy in the county of Rensselaer and State of New York" (Int. No. 856), with a message that said mayor, and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the bill (No. 1041, Senate reprint No. 1340) entitled "An act making appropriations for the support of government" (Int. No. 173), with a message that they have assented to the request for the appointment of a committee of conference

thereon, and have appointed as such committee on the part of the Senate, Messrs. Higgins, Brown and Martin.

Mr. Speaker announced as such committee of conference on the part of the Assembly, Messrs. Allds, Kelsey, Fish, Kelly and Frisbie.

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have appointed a committee of conference thereon.

The Senate returned the Senate bill (No. 482, Assembly reprint No. 1982) entitled "An act to amend chapter 326 of the Laws of 1895, entitled 'An act to provide for the incorporation of associations for lending money on personal property, and to forbid certain loans of money, property or credit'" (Rec. No. 61), with a message that the Senate does non-concur in the amendments of the Assembly thereto, and request the appointment of a committee of conference thereon, and that the Senate has appointed as such committee on the part of the Senate, Messrs. Hill, Humphrey and Wagner.

Mr. Patton moved that the request for a committee of conference be agreed to.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Patton, and it was determined in the affirmative.

Mr. Speaker appointed as such committee of conference on the part of the Assembly, Messrs. Patton, McKeown and Cotton.

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have assented to the request for the appointment of a committee of conference and have appointed the same.

The Senate returned the following entitled bills, with a message that they have concurred in the passage of the same:

"An act to amend the Code of Civil Procedure, relating to the enforcement of certain judgments in the municipal court of the city of New York." (No. 1743, Int. No. 244.)

"An act to grant and release to John Cass all the right, title and interest of the people of the State of New York, in and to certain real estate in the city of New York." (No. 1317, Int. No. 1059.)

"An act to enable the owners or mortgagees of lands in the city of Dunkirk, county of Chautauqua and State of New York to redeem the same from tax sales heretofore made, at which sales the State of New York has become the purchaser." (No. 1335, Int. No. 1077.)

"An act to provide for the erection of a suitable monument in commemoration of the soldiers of the Twenty-eighth Regiment, New York Volunteer Infantry, who were engaged in the battle of Cedar Mountain, Va., August 9, 1862, and making an appropriation therefor." (No. 943, Int. No. 814.)

"An act making an appropriation for the Western House of Refuge for Women." (No. 2020, Int. No. 1103.)

"An act to amend chapter 42 of the Laws of 1898, entitled 'An act to make the office of sheriff of Montgomery county a salaried office, and to regulate the management thereof,' relative to the compensation of the sheriff." (No. 2043, Int. No. 1206.)

"An act to amend the Penal Code, in relation to the obstructing of a stream, creek or other body of water which has been dredged or cleared at public expense." (No. 675, Int. No. 612.)

"An act to amend the Navigation Law, relative to the floating of logs or rafts in Lake George." (No. 1345, Int. No. 695.)

"An act to amend chapter 214 of the Laws of 1887, entitled 'An act to organize and establish a police department for the village of Saratoga Springs, and defining its powers and duties,' as amended by chapter 66 of the Laws of 1897, to terminate the terms of office of the police commissioners of said village of Saratoga Springs, to abolish the office of chief of police in said village; to concentrate the functions heretofore exercised by said commissioners, in a single commissioner, and to define his powers and duties." (No. 1933, Int. No. 1388.)

"An act to authorize the Comptroller of the State to hear and determine an application of William W. Stickney for cancellation of tax sales of lands situated in the town of Warrensburgh, county of Warren, for unpaid taxes." (No. 1257, Int. No. 1020.)

"An act to repeal section 1 of chapter 355 of the Laws of 1883, entitled 'An act to regulate the State Museum of Natural History, and the publication of the paleontology of the State,' (No. 1939, Int. No. 1394.)

"An act to amend the Forest, Fish and Game Law, relative to the taking of fawns." (No. 1854, Int. No. 355.)

"An act making an appropriation for the New York State Woman's Relief Corps Home at Oxford." (No. 1042, Int. No. 891.)

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the bill (No. 781, Senate reprint No. 1151) entitled "An act to amend the Domestic Relations Law, in relation to marriages" (Int. No. 30), with a message that they have concurred in the passage of the same, with the following amendments:

Page 2, line 16, after the word "recorded" insert a period and strike out the word "and."

Same page, line 17, strike out the word "which" and insert the word "such."

Page 4, line 13, after the word "article," strike out the word "is" and insert the word "if."

Mr. Weekes moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{	AYES	93	}
{	NOES	00	}

Those who voted in the affirmative, were

Adams	Dempsey	Hawkins	Nye	Seymour
Adler	Dickinson	Hitchcock	O'Connell	Smith A R
Ahern	Duross	Honeck	O'Malley	Smith J L
Allston	Egan	Hyman	Patton	Smith S W
Axtell	Everett	Juengst	Phipps	Smith W H
Babcock	Fish	Kaiser	Plank	Snyder
Baum	Fitzgerald	Keenan	Price	Sullivan
Bell	Fitzpatrick	Kelly	Prince	Swift
Bradley	Fowler	Kelsey	Reilley	Thorn
Brooks	Frisbie	Knipp	Remsen	Traub
Bruckner	Gardiner R	Leggett	Richter	Ulmann
Burnett	Geoghan	Lewis M E	Rierdon	Vacheron
Cadin	Graeff	Lewis T D	Roberts	Van Name

Cook	Hallock	Mains	Rodenbeck	Waite
Cooley	Halpin	Mansfield	Rogers	Walrath
Costello	Hammond	Mathews	Ruehl	Weber
Coughtry	Harburger	McInerney	Salyerds	Weekes
Darrison	Harris	McMillan	Scanlon	Wilson H
DeGraw	Hatch	Meister		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the bill (No. 1486, Senate reprint No. 1300) entitled "An act to amend the General Municipal Law, relating to ordinances of municipal corporations, relative to hawking and peddling farm produce" (Int. No. 297), with a message that they have concurred in the passage of the same with the following amendments:

Strike out all after the enacting clause and insert the following:

Section 1. Section six hundred and eighty-five of the laws of eighteen hundred and ninety-two, entitled "An act in relation to municipal corporations, constituting chapter seventeen of the general laws," is hereby amended by inserting therein a new section to be known as section twenty-eight and to read as follows:

§ 28. Peddling and hawking farm produce.—The governing board of a municipal corporation shall not by ordinance or otherwise regulate or prohibit the pursuit or exercise of hawking and peddling farm produce except hay and straw within the limits of any such municipal corporation, if such farm produce is hawked or peddled by the producer thereof, or his servants or employes; nor shall the governing board of any such municipal corporation pass an ordinance requiring such producer of farm produce to secure a license for peddling and hawking such farm produce within the limits of such municipal corporation. All existing ordinances and regulations prohibiting such peddling and hawking except of hay and straw or requiring a license therefor shall on and after the passage of this act be of no force and effect. Nothing contained herein shall affect any pending action or proceeding to recover penalties imposed for violations of existing ordinances and regulations. Nothing in this section shall be construed to permit wagons from which farm produce is sold to stand in front of stores or private residences for a longer time than may be necessary for the sale and delivery of produce purchased by the occupants of such stores or residences; nor to permit the congregating of such wagons upon any street or thorough-

fare not set apart by the municipality as a public market for the sale of farm produce. This section shall not apply to cities of the first class nor to the city of Rochester.

§ 2. This act shall take effect immediately.

Mr. Coughtry moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 94 }
 { NOES 00 }

Those who voted in the affirmative, were

Adams	Geoghan	Hammond	McKeown	Ruehl
Adler	Griffith	Harburger	McQuade	Salyerds
Ahern	Davis	Harris	Meister	Scanlon
Allston	Delaney	Hasenflug	Nye	Seymour
Apgar	Dempsey	Hawkins	O'Brien	Sherer
Axtell	Dickinson	Henry	O'Connell	Smith J E
Baker	Dooling	Hitchcock	Orr	Smith J T
Bedell	Duross	Holsten	Patton	Smith S W
Bennet	Dusinbery	Hyman	Phipps	Snyder
Bradley	Egan	Irwin	Platt	Stevens
Brill	Everett	Kaiser	Poth	Swarts
Bruckner	Fancher	Kelly	Prince	Thorn
Burnett	Fisher	Knipp	Reilley	Treat
Burns	Fordyce	Landon	Remsen	Ulmann
Conger	Fowler	Lewis M E	Richter	Van Name
Cooley	Frisbie	Lynn	Rierdon	Walrath
Costello	Gardner C J	Mansfield	Robinson	Weber
Cotton	Hallock	Marson	Rogers	Wilson H
Daly	Halpin	Mathews	Ross	

Ordered, That the Clerk return said bill the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the bill (No. 2067, Senate reprint No. 1293) entitled "An act to provide for sewer systems outside incorporated villages or cities" (Int. No. 1367), with a message that

they have concurred in the passage of the same with the following amendment:

Strike out all after the enacting clause and insert the following:

Section 1. The town board of any town on the petition of a majority of the owners of real property in a proposed district, representing a majority of the taxable property therein, as appears by the last preceding completed assessment-roll, may establish a sewer system outside a village or city. The petition must describe the proposed district, and state the maximum amount proposed to be expended in the construction of such sewer system. Each petitioner shall state opposite his name the assessed valuation of the real property owned by him in such district according to the last preceding completed assessment-roll. The petition must be signed by the petitioners and acknowledged in the same manner as a deed to be recorded. There shall be annexed to and presented with such petition a map and plan of the proposed sewer system with specifications of dimensions and connections, and outlet or sewage disposal works prepared by a competent engineer at the expense of the petitioners.

§ 2. If the town board is satisfied that the petitioners are a majority of the owners of real property in the proposed district, and own a majority in value of the taxable property therein, they shall make an order establishing such district and appointing three taxpayers therein as sewer commissioners, who shall hold their offices at the pleasure of the town board.

§ 3. Each commissioner before entering on the duties of his office shall take the constitutional oath of office and execute to the town and file with the town clerk an official undertaking in such sum and with such sureties as the town board shall direct. The town board may at any time require any such commissioner to file a new official undertaking for such sum and with such sureties as the board shall direct.

§ 4. The sewer commissioners shall cause a copy of the map and plan of the proposed sewer system to be submitted to the state board of health, and if approved, it shall be filed in its office. Such map and plan may be amended with the approval of the state board of health, and if amended, it shall be filed in the office of the state board of health and of the town clerk.

§ 5. The sewer commissioners of such district shall advertise for proposals for the construction of a sewer system according to such map and plan, either under an entire contract or in parts or sections as the board may determine. Such advertisement shall be published once in each week of two successive weeks in each newspaper published in the town, and if no newspaper

is published therein in two newspapers published in a city or village nearest to such town. The commissioners may require a bond or a deposit from each person submitting a proposal, the liability on such bond to accrue, or such deposit to be forfeited to the town, in case such person shall refuse to enter into a contract in accordance with his proposal. The commissioners may accept or reject any or all proposal, and shall let the contract to the lowest bidder. No contract shall be made by which a greater amount shall be agreed to be paid than the maximum amount stated in the petition for the construction of such sewer, including the expense of superintendence and inspection as provided in section six hereof. Each contract shall be executed in duplicate one of which shall be given to the contractor and the other shall be filed in the office of the town clerk.

§ 6. The sewer commissioners may employ a supervising engineer to superintend and inspect the construction of any sewer or works connected therewith, and also such inspectors as may be necessary and fix the compensation of such engineer and inspectors. Such compensation shall be treated as a part of the expense of construction.

§ 7. If sewer commissioners are unable to agree with the owners for the purchase of real property necessary for the construction of the sewer system, they may acquire the same by condemnation.

§ 8. The sewer commissioners shall prepare and file in the office of the town clerk a map and plan of such district which shall show the highways and the several parcels of land therein. The expense of the construction of such sewer shall be apportioned by such commissioners on the lands within such district in proportion as nearly as may be to the benefit which each lot or parcel will derive therefrom. After making such apportionment the board shall serve on each landowner a notice of the completion thereof and of the filing of such map and plan, and that at a specified time and place a hearing will be had to consider and review the same. Such notice must be served at least six days before the hearing, personally, if such land owner can with reasonable diligence be found within the state, otherwise by mail addressed to the landowners last known post office address. The commissioners shall meet at the time and place specified to hear objections to such apportionment, and may modify and correct the same. The sewer commissioners upon the completion of such apportionment shall file the same in the office of the town clerk. The apportionment shall be deemed final and conclusive unless an appeal is taken therefrom within fifteen days after the filing thereof.

§ 9. A person aggrieved by an apportionment may, within fifteen days after the filing thereof, appeal therefrom to the county court of the county in which such district is situated. Such appeal shall be taken by a notice stating the grounds thereof, served personally or by mail upon each of the sewer commissioners and filed with the town clerk.

§ 10. Either party may bring on the appeal on a notice of not less than ten nor more than twenty days. All appeals from the same apportionment must be consolidated and heard as one appeal. The county court may affirm or reverse the apportionment. If it be reversed on the ground that it is erroneous, unequal or inequitable, the court shall, by order of reversal, appoint three disinterested freeholders of the district as commissioners to make a new apportionment and no appeal shall be allowed from such order.

§ 11. A reapportionment shall be made in the following cases:

1. By the commissioners appointed by the county court where the original apportionment is reversed on the ground that it is erroneous, unequal or inequitable.

2. By the sewer commissioners of the districts where the original apportionment is reversed on any other ground. A reapportionment under this subdivision shall be made in like manner as the original.

§ 12. The commissioners appointed by the county court shall give notice of the time and place at which they will meet to make such reapportionment, and shall serve notice thereof, either personally or by mail, at least ten days before such meeting upon each owner of land within such district as finally fixed by the board of sewer commissioners. They shall meet at the time and place specified and make such reapportionment in the manner herein prescribed for the sewer commissioners. They shall file such reapportionment in the office of the town clerk, and it shall be final and conclusive.

§ 13. Each commissioner appointed by the county court is entitled to five dollars for each day necessarily spent in making such reapportionment, besides his actual necessary expenses. Such fees and expenses are a charge against the town, and must be audited by the town board. The amount thereof shall be added to the portion of the expense of constructing such sewer or sewer system which is to be assessed against property in such sewer district.

§ 14. The sewer commissioners shall assess the expense of constructing such sewer system on the property benefited in accordance with the apportionment established under this act. Notice of such assessment shall be given to the owners, who may pay to

the commissioners the amount assessed within thirty days after service of such notice. After the expiration of such thirty days the commissioners shall report to the town board the amounts assessed upon the several parcels of real property benefited and the assessments which have been paid. The town board shall direct the issue and sale of bonds for the aggregate amount of the assessments remaining unpaid. Such bonds shall be a town charge. After the sewer system is constructed it shall be maintained by the commissioners and the cost of such maintenance shall be a charge upon the sewer district.

§ 15. The town board shall annually apportion the amount to be raised for the payment of such bonds on the lots or parcels in default, so that the tax thereon will be the same as if an equal portion of the original assessment were then to be paid. Interest on an unpaid assessment shall be added to such tax at the rate payable by the bond or certificate of indebtedness, which must be computed to the time when the principal or an installment will become due; or if no principal will become due during the ensuing year, then the interest accruing during that year upon the assessment or bonds must be levied on such lot or parcel. The town board shall present to the board of supervisors at its annual meeting a statement showing the amount due or to become due for principal and interest during the ensuing year on bonds issued under this act; the persons liable to pay the same and the amount chargeable to each. The board of supervisors shall levy such sums against the property liable and shall state the amount of the tax in a separate column in the annual tax roll under the name "sewer tax." Such tax when collected shall be paid to the supervisor and be by him applied in payment of the bonds.

§ 16. The amount apportioned by the sewer commissioners on any lot or parcel and any tax levied for collection thereof shall be a lien prior and superior to any other lien or claim except the lien of an existing tax or local assessment.

§ 17. Chapter five hundred and forty-five of the laws of eighteen hundred and ninety-three and chapter three hundred and twenty-eight of the laws of eighteen hundred and ninety-four are hereby repealed, but the repeal of such chapters shall not affect or impair any act done or right accruing, accrued or acquired, or penalty, forfeiture or punishment incurred prior to the time when this act takes effect, under or by virtue of the laws so repealed, but the same may be asserted, enforced, prosecuted or inflicted as fully and to the same extent as if such laws had not been repealed; and all actions or proceedings civil or criminal commenced under or by virtue of the laws so repealed and pend-

ing December thirty-first, nineteen hundred and one may be prosecuted and defended to final effect in the same manner as they might under the laws then existing unless it shall be otherwise specially provided by law.

§ 18. This act shall take effect immediately.

Mr. Hallock moved to concur in the Senate amendment.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 106 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Daly	Harris	McMillan	Rodenbeck
Adler	Darrison	Hatch	McQuade	Ross
Alds	DeGraw	Hawkins	Morgan	Ruehl
Allston	Dempsey	Henry	Nye	Sanders
Apgar	Dickey	Holsten	O'Brien	Scanlon
Axtell	Dooling	Honeck	O'Malley	Seymour
Babcock	Doughty	Irwin	Patton	Smith A R
Baum	Dusinbery	Juengst	Phillips	Smith J E
Bedell	Ellis	Kaiser	Plank	Smith J T
Bell	Fancher	Keenan	Platt	Smith W H
Bennet	Fish	Kelly	Poth	Stevens
Bradley	Fitzgerald	Kelsey	Price	Swarts
Brill	Fowler	Knipp	Prince	Swift
Brooks	Fordyce	Leggett	Rainey	Traub
Bruckner	Galbraith	Lewis T D	Reilley	Treat
Burnett	Gardiner R	Lynn	Remsen	Vacheron
Burns	Geoghan	Mansfield	Reynolds	Waite
Cadin	Graeff	Marson	Richter	Walrath
Cook	Hallock	Mathews	Rider	Weber
Coons	Hammond	McInerney	Roberts	Weekes
Costello	Harburger	McKeown	Robinson	Wilson H
Cotton				

Ordered, That the Clerk return said bill the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the following entitled bills:

"An act to amend the Highway Law, relating to plowing, digging and cropping highways." (No. 1392, Int. No. 1101, Senate reprint No. 1220.)

"An act to amend the Public Lands Law, relating to mining." (No. 921, Int. No. 1267, Senate reprint No. 1267.)

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the following entitled bills, with a message that they have concurred in the passage of the same without amendment:

"An act making an appropriation for further construction at Dannemora hospital for insane convicts." (No. 1467, Int. No. 219.)

"An act to authorize the revision of the proceedings for the opening of Sixteenth avenue from Eighty-fourth street to Gravesend bay in the former town of New Utrecht." (No. 1406, Int. No. 1115.)

"An act providing for the construction of a new steel bridge across the Glens Falls feeder in the town of Queensbury, Warren county, and for the repair of the existing abutments and the approaches thereto, and making an appropriation therefor." (No. 732, Int. No. 656.)

Ordered, That the Clerk deliver said bills to the Governor.

"An act to amend section 2 of title 2 of chapter 25 of the Laws of 1870, entitled 'An act to incorporate the city of Rome, relating to the election and appointment of city and ward officers.'" (No. 2008, Int. No. 1436.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Rome.

"An act to validate an ordinance passed by the common council of the city of Rochester providing for the improvement of Portland avenue from Clifford street to Norton street, and assessing the cost thereof partly upon the abutting owners and partly upon the tracks, ties, rails, switches, franchises, easements, and other surface railroad property situated upon said avenue between said streets." (No. 1893, Int. No. 1358.)

"An act to enable the commissioner of public safety of the city of Rochester, to rehear and determine the charges against

Nicholas P. Oldfield, formerly a captain of Chemical company No. 1 in the fire department of said city." (No. 134, Int. No. 134.)

Ordered, That the Clerk transmit certified copies thereof to the mayor of the city of Rochester.

"An act to amend chapter 182 of the Laws of 1892, entitled 'An act to incorporate the city of Mount Vernon,' relative to the compensation and duties of the marshal of the city court of Mount Vernon." (No. 1673, Int. No. 986.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Mount Vernon.

"An act to amend chapter 84 of the Laws of 1886 entitled 'An act to incorporate the city of Jamestown' relative to the method of drawing jurors." (No. 1847, Int. No. 1342.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Jamestown.

"An act for the relief of Catherine E. Coleman, who has retired from the position of teacher in the training department of the Normal college, of the city of New York." (No. 1846, Int. No. 1341.)

Ordered, That the clerk transmit a certified copy thereof to the mayor of the city of New York.

Mr. T. D. Lewis offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill No. 1219, entitled "An act authorizing the Court of Claims to hear and determine the alleged claims against the State for damages, permanent or otherwise, arising from the rebuilding and raising the dam at Oswego Falls in the Oswego river" (Int. No. 1004), for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

The Senate returned the concurrent resolution recalling from the Governor, for the purpose of amendment Assembly bill No. 1219, entitled "An act authorizing the Court of Claims to hear and determine the alleged claims against the State for damages, permanent or otherwise, arising from the rebuilding and raising the dam at Oswego Falls in the Oswego river" (Int. No. 1004),

with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK—EXECUTIVE CHAMBER,
ALBANY, April 9, 1901.

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment, Assembly bill No. 1219, entitled "An act authorizing the Court of Claims to hear and determine the alleged claims against the State for damages, permanent or otherwise, arising from the rebuilding and raising the dam at Oswego Falls in the Oswego river" (Int. No. 1004).

B. B. ODELL, JR.

Mr. McQuade gave notice that on Wednesday, April 10, he would call up Senate bill (No. 842) entitled "An act to amend chapter 18 of the Laws of 1862, entitled 'An act to revise the charter of the city of Utica,' and the acts amendatory thereof and supplementary thereto, relative to the tax budget, etc." (Rec. No. 173), the same having been laid aside on the order of second reading.

Mr. Weekes gave notice that on April 10, he would call up bill (No. 2000) entitled "An act relative to the powers and liabilities of The Farmer's Loan and Trust Company, and the qualifications of its directors" (Int. No. 1426), the same having been laid aside on the order of second reading.

On motion of Mr. Allds, the House adjourned.

WEDNESDAY, APRIL 10, 1901.

The House met pursuant to adjournment.

Prayer by Rev. J. P. Coddington, Rochester, N. Y.

On motion of Mr. Allds, the reading of the journal of yesterday was dispensed with and the same was approved.

The Senate sent for concurrence the following entitled bills:

"An act authorizing the common council of the city of Auburn

to borrow money on the credit of said city and issue its bonds to the amount not exceeding \$30,000, the avails to be used for paving portions of East Genesee and Genesee streets, in said city, during the year 1901, and to include the amount of said bonds, maturing each year, with the interest on bonds unpaid, in the tax budget of that year, until all bonds issued under the provisions of this act are fully paid and retired" (No. 1278, Rec. No. 369), which was read the first time and referred to the committee on affairs of cities.

"An act to amend sections 1097, 1099, 1100, 1101 and 1132 of the Code of Civil Procedure relating to trial jurors in the counties of New York and Kings" (No. 1273, Rec. No. 370), which was read the first time and referred to the committee on codes.

"An act to amend chapter 52 of the Laws of 1893, entitled 'An act to make the office of county clerk of Columbia county a salaried office and regulating the management of said office,' in relation to assistants" (No. 1345, Rec. No. 371), which was read the first time and referred to the committee on internal affairs.

"An act to amend the Labor Law, relating to statistics furnished to the commissioner of labor" (No. 1229, Rec. No. 373), which was read the first time and referred to the committee on labor and industries.

"An act to amend the Agricultural Law relative to San Jose scale and transportation of nursery stock into this State" (No. 1332, Rec. No. 372), which was read the first time.

On motion of Mr. Phipps, and by unanimous consent, said bill was read the second time and ordered to a third reading and referred to the committee on agriculture.

"An act in relation to the railroad funds of the towns of Theresa and Philadelphia, Jefferson county, N. Y." (No. 1321, Rec. No. 374), which was read the first time and referred to the committee on internal affairs.

"An act to amend the Code of Criminal Procedure, relating to the appointment of probationary officers and defining their duties" (No. 1271, Rec. No. 375), which was read the first time.

On motion of Mr. Morgan, and by unanimous consent, said bill was read the second time and ordered to a third reading.

On motion of Mr. Morgan, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 99 }
 { NOES 00 }

Those who voted in the affirmative, were

Adams	Costello	Graeff	Mansfield	Ross
Adler	Cotton	Hallock	Mathews	Ruehl
Ahern	Daly	Halpin	McKeown	Sanders
Allds	Darrison	Hanford	McMillan	Schneider
Apgar	Davis	Harburger	Meister	Seymour
Axtell	Delaney	Hasenflug	Morgan	Sherer
Babcock	Dempsey	Hawkins	O'Brien	Smith J E
Baker	Dickinson	Henry	O'Connell	Smith J T
Baum	Dooling	Holsten	Orr	Smith S W
Bell	Duross	Honeck	Phillips	Smith W H
Blackwell	Dusinbery	Hyman	Plank	Stevens
Bradley	Ellis	Juengst	Platt	Swarts
Brill	Everett	Kaiser	Price	Swift
Brooks	Fish	Keenan	Prince	Traub
Bruckner	Fisher	Kelly	Reilley	Ulmann
Bryan	Fitzpatrick	Kelsey	Remsen	Van Name
Burnett	Fordyce	Landon	Richter	Waite
Cadin	Frisbie	Leggett	Rierdon	Weekes
Cook	Gardiner R	Lewis T D	Roberts	Wilson H
Coons	Geoghan	Mains	Rodenbeck	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

"An act to amend the Town Law and the acts amendatory thereof, relating to justices of the peace and town clerks" (No. 1324, Rec. No. 376), which was read the first time and referred to the committee on internal affairs.

"An act to provide for the taxation and payment of the fees

and expenses of the commissioners of estimate and assessment heretofore appointed by the Supreme Court in the proceedings in the city of New York for the extension and opening of Manhattan street in said city" (No. 1334, Rec. No. 377), which was read the first time and referred to the committee on affairs of cities.

"An act to amend chapter 511 of the Laws of 1889, entitled 'An act to amend, revise and consolidate the several acts relating to the village of Cooperstown, in the county of Otsego,' relative to the powers of trustees" (No. 1368, Rec. No. 378), which was read the first time and referred to the committee on affairs of villages.

"An act to amend chapter 59 of the Laws of 1882, entitled 'An act to incorporate the Buffalo merchants' exchange,' and the acts amendatory thereof and supplementary thereto" (No. 1258, Rec. No. 379), which was read the first time and referred to the committee on the judiciary.

"An act entitled 'An act to amend chapter 182 of the Laws of 1892, entitled An act to incorporate the city of Mount Vernon'" (No. 1305, Rec. No. 380), which was read the first time and referred to the committee on affairs of cities.

"An act to amend the Greater New York charter, relative to exempt or veteran volunteer fireman's associations in the borough of Queens and Richmond" (No. 1342, Rec. No. 381), which was read the first time.

On motion of Mr. Vacheron, and by unanimous consent, said bill was read the second time and ordered to a third reading.

On motion of Mr. Vacheron, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 85 }
 { NOES 00 }

Those who voted in the affirmative, were

Adams	Davis	Henry	Meister	Salyerds
Adler	Dempsey	Hitchcock	Morgan	Sanders
Allds	Dickinson	Honeck	O'Brien	Scanlon
Apgar	Doughty	Hyman	O'Malley	Sherer
Axtell	Dusinbery	Juengst	Patton	Seymour
Babcock	Everett	Kaiser	Phillips	Smith A R
Baum	Fish	Keenan	Plank	Smith J L
Bell	Fitzgerald	Kelly	Price	Smith S W
Blackwell	Fordyce	Kelsey	Rainey	Snyder
Brill	Frisbie	Landon	Reilley	Sullivan
Bruckner	Gardiner R	Leggett	Reynolds	Swift
Burnett	Graeff	Lewis T D	Rider	Thorn
Cadin	Hallock	Lynn	Roberts	Ulmann
Cook	Halpin	Mansfield	Robinson	Van Name
Coons	Hanford	Marson	Rodenbeck	Waite
Costello	Harris	McInerney	Ross	Weber
Daly	Hatch	McMillan	Ruehl	Weekes

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

“An act to amend chapter 160 of the Laws of 1900, entitled ‘An act to incorporate the city of Cortland,’ in regard to certain officers, their appointment, terms of office, powers and duties, to the taking effect of ordinances and resolutions, to the qualification of voters upon appropriations, to sidewalks, paving and improvements, to the raising of funds for the support of schools, to the collection of taxes, to the correction of assessments and repealing certain laws” (No. 1343, Rec. No. 382), which was read the first time and referred to the committee on codes.

“An act to make the office of sheriff of Essex county a salaried office, in part, and to regulate the management thereof” (No. 1337, Rec. No. 383), which was read the first time.

On motion of Mr. Graeff, and by unanimous consent, said bill was read the second time and ordered to a third reading.

Mr. Graeff moved that said bill be committed to the committee on internal affairs, with instructions to report the same forthwith amended as follows:

Page 4, line 5, after the word "hundred" insert the words "and fifty."

Same page, same line, after the word "dollars" insert the words "and board at said county jail at a price to be fixed by the board of supervisors."

Same page, same line, strike out the words "board of supervisors."

Same page, strike out lines 6 and 7 and line 8 to the word "and."

Same page, line 9, strike out all after the word "sheriff" down to the word "acts" in line 11.

Same page, line 11, after the word "sheriff" insert the word "and."

Same page, lines 11 and 12, strike out the words "and deputy sheriffs."

Same page, strike out lines 13 to 20 inclusive.

Page 5, line 14, strike out the word "may" and insert the word "shall."

Same page, lines 14 and 15, strike out the words "and the deputy sheriffs designated by the board as aforesaid" and insert the words "and the under sheriff."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Doughty, from the committee on internal affairs, reported said bill amended as directed and the same was ordered reprinted and placed on the order of third reading.

"An act authorizing the selection of certain lands in the town of Ausable, Clinton county, and the town of Chesterfield, Essex county, known as the 'Ausable chasm,' with a view of acquiring the same for a State park, preserving the scenery thereof, and making it a place of public resort and pleasure" (No. 1119, Rec. No. 384), which was read the first time and referred to the committee on ways and means.

"An act to incorporate the Utica Corn Hill Benefit Association of the city of Utica" (No. 337, Rec. No. 385), which was read the first time and referred to the committee on the judiciary.

"An act to amend section 2624 of the Code of Civil Procedure, relating to the validity and construction of testamentary provisions" (No. 1243, Rec. No. 386), which was read the first time and referred to the committee on codes.

"An act to amend chapter 128 of the Laws of 1899, entitled 'An act to incorporate the city of New Rochelle,' as amended by chapters 462 and 550 of the Laws of 1900" (No. 1370, Rec. No. 387), which was read the first time.

On motion of Mr. Mains, and by unanimous consent, said bill was read the second time and ordered to a third reading and referred to the committee on affairs of cities.

"An act to amend sections 150 and 582 of the Code of Civil Procedure so as to enable all persons arrested or attached and held to bail on civil process, to deposit money in lieu of bail" (No. 974, Rec. No. 388), which was read the first time and referred to the committee on codes.

"An act to authorize the construction of a wrought iron or steel bridge over the Erie canal west of the upper Mohawk aqueduct and for the construction of the approaches thereto, and making an appropriation therefor" (No. 998, Rec. No. 389), which was read the first time and referred to the committee on ways and means.

"An act to amend an act entitled 'An act supplemental to chapter 469 of the Laws of 1892' entitled 'An act to restore to the owners of water power on Black river the water diverted by the State for canal purposes' and making an appropriation therefor" (No. 1225, Rec. No. 390), which was read the first time and referred to the committee on ways and means.

"An act to reappropriate money for the construction of a swing bridge over Black Rock harbor at Ferry street, in the city of Buffalo and to make an additional appropriation therefor" (No. 625, Rec. No. 391), which was read the first time and referred to the committee on ways and means.

"An act to amend the Insurance Law relating to the valuation of policies of health insurance" (No. 1088, Rec. No. 392), which was read the first time.

On motion of Mr. O'Malley, and by unanimous consent, said bill was read the second time and ordered to a third reading.

On motion of Mr. O'Malley, and by unanimous consent, said

bill was substituted for Assembly bill No. 1924, Int. No. 1379, same title and subject, now on the order of third reading.

Said bill having been announced for a third reading,

On motion of Mr. O'Malley, and by unanimous consent, said bill was ordered placed on the third reading calendar for Thursday next.

"An act to amend the Insurance Law, relative to insurance against disablement resulting from sickness" (No. 1087, Rec. No. 393), which was read the first time.

On motion of Mr. O'Malley, and by unanimous consent, said bill was read the second time and ordered to a third reading.

On motion of Mr. O'Malley, and by unanimous consent, said bill was substituted for Assembly bill No. 1923, Int. No. 1378, same title and subject, now on the order of third reading.

Said bill having been announced for a third reading,

On motion of Mr. O'Malley, and by unanimous consent, said bill was ordered placed on the third reading calendar for Thursday next.

"An act to appropriate money for the repair and improvement of the State armory at Watertown, N. Y." (No. 424, Rec. No. 394), which was read the first time and referred to the committee on ways and means.

"An act to amend the town and elections laws relative to propositions for raising money for town purposes" (No. 1349, Rec. No. 395), which was read the first time.

On motion of Mr. Stevens, and by unanimous consent, said bill was read the second time and ordered to a third reading.

On motion of Mr. Stevens, and by unanimous consent, said bill was substituted for Assembly bill No. 2273, Int. No. 1551, same title and subject now on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, and three-fifths being present.

{	AYES	71	}
{	NOES	54	}

Those who voted in the affirmative, were

Adams	Coughtry	Griffith	Mansfield	Ross
Allds	Darrison	Hammond	McMillan	Seymour
Allston	Davis	Hanford	Morgan	Smith A R
Apgar	DeGraw	Harris	Nye	Smith J T
Axtell	Dickinson	Hatch	O'Malley	Smith W H
Babcock	Dusinbery	Henry	Patton	Snyder
Bedell	Everett	Hitchcock	Phillips	Stevens
Bell	Fancher	Irwin	Plank	Swift
Bennet	Fish	Kelsey	Platt	Traub
Blackwell	Fowler	Landon	Price	Vacheron
Brill	Frisbie	Leggett	Rainey	Waite
Bryan	Galbraith	Lewis M E	Remsen	Weber
Cooley	Gardner C J	Lewis T D	Reynolds	Weekes
Costello	Graeff	Mains	Roberts	Wilson H
Cotton				

Those who voted in the negative, were

Bradley	Dickey	Halpin	McKeown	Rodenbeck
Brooks	Doughty	Harburger	McQuade	Rogers
Bruckner	Duross	Holsten	Meister	Ruehl
Burns	Egan	Honeck	O'Connell	Scanlon
Cadin	Ellis	Hyman	Poth	Smith J E
Conger	Fisher	Juengst	Prince	Sullivan
Cook	Fitzgerald	Kaiser	Reilley	Thorn
Coons	Fitzpatrick	Kelly	Richter	Ulmann
Daly	Gardiner R	Lynn	Rider	Van Name
Delaney	Geoghan	Mathews	Rierdon	Walrath
Dempsey	Hallock	McInerney	Robinson	

Mr. Stevens moved to reconsider the vote by which said bill was lost, and that said motion be laid upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

"An act to incorporate St. Rose's settlement of the Catholic Social Union" (No. 1280, Rec. No. 396), which was read the first time and referred to the committee on charitable and religious societies.

"An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of the county of Westchester against the State for a refund of taxes paid on erroneous

valuations on property in said county for the years 1899 and 1900 " (No. 1285, Rec. No. 397), which was read the first time and referred to the committee on claims.

"An act to amend section 5 of the Railroad Law in relation to forfeiture of corporate existence " (No. 963, Rec. No. 398), which was read the first time and referred to the committee on railroads.

"An act to amend section 44 of the Membership Corporations Law regarding the holding of special meetings for the purpose of electing directors " (No. 425, Rec. No. 399), which was read the first time and referred to the committee on the judiciary.

Mr. Bedell introduced a bill entitled "An act to amend the Labor Law, in relation to the examination and licensing of steam engineers, and establishing a bureau in the office of the superintendent of public works " (Int. No. 1653), which was read the first time and referred to the committee on general laws.

Mr. R. Gardiner introduced a bill entitled "An act to amend chapter 225 of the Laws of 1896, entitled 'An act in relation to the poor, constituting chapter 27 of the general laws,' relative to burial of soldiers " (Int. No. 1654), which was read the first time and referred to the committee on general laws.

Mr. O'Brien introduced a bill entitled "An act to provide for the building of a dam across the River Saranac at Union Falls, and making an appropriation therefor " (Int. No. 1655), which was read the first time and referred to the committee on ways and means.

Mr. Leggett introduced a bill entitled "An act to amend chapter 143 of the Laws of 1892, entitled 'An act to incorporate the city of Niagara Falls,' and the acts amendatory thereof, in reference to the designation of a mayor pro tempore in case of the inability of the mayor to act " (Int. No. 1656), which was read the first time and referred to the committee on affairs of cities.

By unanimous consent,

Mr. McKeown introduced a bill entitled "An act to amend the Greater New York charter, in relation to the publication of

notices of contracts to be awarded or bonds to be sold " (Int. No. 1657), which was read the first time and referred to the committee on affairs of cities.

By unanimous consent,

Mr. Van Name introduced a bill entitled "An act to authorize the board of estimate and apportionment of the city of New York to audit and allow, and the comptroller of said city to pay to Peter Androvett, Albert Kellmeyer as survivor of N. Killmeyer & Son, Gabriel Dissosway and B. Keeischer & Sons, for work done and supplies furnished for school purposes to school district No. 7 of the town of Westfield, Richmond county, N. Y." (Int. No. 1658), which was read the first time and referred to the committee on affairs of cities.

By unanimous consent,

Mr. Rielly introduced a bill entitled "An act authorizing the board of estimate and apportionment of the city of New York to audit and allow the claim of John R. Powers of said city for services rendered as dockmaster of the department of docks of said city, and to provide for the payment of such claim " (Int. No. 1659), which was read the first time and referred to the committee on affairs of cities.

By unanimous consent,

Mr. Cooley introduced a bill entitled "An act to amend chapter 908 of the Laws of 1896, entitled 'An act in relation to taxation, constituting chapter 24 of the general laws' in relation to the cancellation of certain tax sales " (Int. No. 1660), which was read the first time and referred to the committee on taxation and retrenchment.

By unanimous consent,

Mr. Doughty introduced a bill entitled "An act to provide for the payment of the claims of the Gamewell Fire Alarm Telegraph Company for furnishing fire alarm signal boxes and certain other materials and labor, to the village of Far Rockaway " (Int. No. 1661), which was read the first time and referred to the committee on affairs of cities.

By unanimous consent,

Mr. Hitchcock introduced a bill entitled "An act authorizing John J. Cunningham and Campbell W. Adams to construct and maintain a dam across the Hudson river in Warren county" (Int. No. 1662), which was read the first time.

On motion of Mr. Hitchcock, and by unanimous consent, said bill was read the second time and ordered to a third reading and referred to the committee on commerce and navigation.

By unanimous consent,

Mr. Cook introduced a bill entitled "An act in relation to the powers of the board of supervisors of Erie county" (Int. No. 1663), which was read the first time.

On motion of Mr. Cook, and by unanimous consent said bill was read the second time and ordered to a third reading and referred to the committee on internal affairs.

By unanimous consent,

Mr. Frisbie introduced a bill entitled "An act to amend chapter 512 of the Laws of 1892, entitled 'An act to amend chapter 461, of the Laws of 1885,' entitled 'An act regulating newspaper advertisements chargeable to the county of Rensselaer'" (Int. No. 1664), which was read the first time.

On motion of Mr. Frisbie, and by unanimous consent, said bill was read the second time and ordered to a third reading and referred to the committee on internal affairs.

Mr. Fish, from the committee on the judiciary, to which was referred the bill introduced by Mr. Henry, Int. No. 1296, entitled "An act to amend chapter 986 of the Laws of 1896, entitled 'An act to incorporate the Patent and Copyright Protective Association of New York,' as amended by chapter 496 of the Laws of 1898" (No. 1749), reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on the judiciary, to which was referred the bill introduced by Mr. O'Brien, Int. No. 1558, entitled "An act to legalize the official acts of William L. Riley as justice of the peace of the town of Chazy, county of Clinton"

(No. 2280), retaining its place on the order of third reading, reported in favor of the passage of the same without amendment, which report was agreed to, and said bill ordered restored to its place on the order of third reading.

Mr. Fish, from the committee on the judiciary, to which was referred the bill introduced by Mr. Fish, Int. No. 1622, entitled "An act to amend section 31 of chapter 559 of the Laws of 1895 known as the 'Membership Corporations Law,' in relation to membership in corporations formed for the purpose of gathering and procuring information and intelligence for the use and benefit of its members" (No. 2424), retaining its place on the order of third reading, reported in favor of the passage of the same without amendment, which report was agreed to, and said bill ordered restored to its place on the order of third reading.

Mr. Fish, from the committee on the judiciary, to which was referred the bill introduced by Mr. Sullivan, Int. No. 1636, entitled "An act to incorporate the Inebriates Home for New York City, and to provide funds for the maintenance thereof" (No. 2443), retaining its place on the order of third reading, reported in favor of the passage of the same without amendment, which report was agreed to, and said bill ordered restored to its place on the order of third reading.

Mr. Fish, from the committee on the judiciary, to which was recommitted the Senate bill introduced by Mr. Elsberg, Rec. No. 272, entitled "An act to provide for the appointment of a commissioner of jurors and to provide for a special jury in civil and criminal actions in each county of the State having a population of 1,000,000 or more, according to the last preceding federal census" (No. 1086), reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Malby, Rec. No. 347, entitled "An act to amend the Insanity Law, known as chapter 545 of the Laws of 1896" (No. 1165), reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. McKinney, Rec. No. 349, entitled "An act to amend chapter 677 of the Laws of 1892, entitled 'the Statutory Construction Law'" (No. 1073), reported in favor of the passage of the same, with the following amendment:

Page 1, line 7, strike out the period and insert a comma, and after said comma add the words "except lands upon which a town hall or other building owned by a town is located."

ROBERT J. FISH,
Chairman.

Which report was agreed to, and said bill ordered reprinted as amended, and placed on the order of second reading.

Mr. Kelsey, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Rogers, Int. No. 1597, entitled "An act to amend chapter 214 of the Laws of 1888, entitled 'An act to revise the charter of the city of Binghamton,' relative to school buildings" (No. 2368), retaining its place on the order of third reading, reported in favor of the passage of the same without amendment, which report was agreed to, and said bill ordered restored to its place on the order of third reading.

Mr. Kelsey, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Coughtry, Int. No. 1384, entitled "An act to amend chapter 444 of the Laws of 1866, entitled 'An act to create a board of public instruction in the city of Albany; to establish free schools therein, and amendatory of the several acts relating to the district schools in said city,' relating to appointments by the board" (No. 1929), retaining its place on the order of third reading, reported in favor of the passage of the same with the following amendments:

Page 1, line 2, strike out the word "eighty" and insert the word "sixty."

Same page, line 6, after the word "eleven" insert the words "of the."

Same page, line 7, after the word "twenty" insert the words "of the."

Page 2, line 1, after the word "forty-eight" insert the words "of the."

Same page, line 2, after the word "hundred" insert the words "of the."

Same page, line 3, after the word "amended" strike out the words "so as."

Same page, line 13, after the word "direct" insert a period.

Same page, line 19, after the word "direct" insert a period.

Page 3, line 6, after the word "direct" insert a period.

Same page, same line, after the word "and" insert the word "shall."

OTTO KELSEY,
Chairman.

Which report was agreed to, and said bill ordered reprinted as amended and restored to its place on the order of third reading.

Mr. Kelsey, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Honeck, Int. No. 555, entitled "An act to enable the commissioner or commissioners or other competent executive authority of the police department of the city of New York to rehear and determine the charges against Thomas Cassidy, a policeman of the first grade, for re-appointment in said department" (No. 610), reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Kelsey, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Harris, Int. No. 1599, entitled "An act to amend an act entitled 'An act to incorporate the city of Johnstown,' being chapter 568 of the Laws of 1895, relative to opening, altering, extending and laying out streets." (No. 2370), retaining its place on the order of third reading, reported in favor of the passage of the same without amendment, which report was agreed to, and said bill ordered restored to its place on the order of third reading.

Mr. Kelsey, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Fitzpatrick, Int. No. 1617, entitled "An act providing for the paving of Richard street in the borough of Brooklyn, in the city of New York" (No. 2419), reported in favor of the passage of the same with the following amendment:

Page 1, line 2, strike out the words "and directed" and insert the words "in its discretion."

OTTO KELSEY,
Chairman.

Which report was agreed to, and said bill ordered reprinted as amended, and placed on the order of second reading.

Mr. Kelsey, from the committee on affairs of cities, to which was referred the bill introduced by Mr. DeGraw, Int. No. 1594, entitled "An act to provide for the payment of the claim of the Eureka Fire Hose Company for furnishing fire hose to the village of Far Rockaway" (No. 2365), reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Kelsey, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Marshall, Rec. No. 200, entitled "An act to provide for the improvement of Prospect avenue in the borough of Brooklyn, in the city of New York" (No. 938), reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. DeGraw, from the committee on banks, to which was referred the bill introduced by Mr. DeGraw, Int. No. 1559, entitled "An act to amend chapter 337 of the Laws of 1893, entitled 'An act conferring additional powers upon trust companies within the counties of this State containing upwards of 300 and less than 600,000 inhabitants,' as amended by chapter 73 of the Laws of 1898" (No. 2281), retaining its place on the order of third reading, reported in favor of the passage of the same without amendment, which report was agreed to, and said bill ordered restored to its place on the order of third reading.

Mr. DeGraw, from the committee on banks, to which was referred the bill introduced by Mr. Walrath, Int. No. 1611, entitled "An act to amend chapter 171 of the Laws of 1901, entitled 'An act to amend chapter 451 of the Laws of 1899, entitled An act to enable persons who have deposited money in a bank and have lost the certificate, or the same has been destroyed, to draw the money due thereon,' relating to the satisfaction and discharge of bonds or undertakings given to secure the payment of such certificates" (No. 2401), reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Rogers, from the committee on electricity, gas and water supply, to which was referred the bill introduced by Mr. Leg-

gett, Int. No. 1416, entitled "An act to incorporate The Lower River Power and Water Supply Company of Niagara" (No. 2346), reported in favor of the passage of the following substitute bill:

AN ACT to incorporate The Lower River Power and Water Supply Company of Niagara.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Commodore P. Vedder, Tunis G. Bergen, William Williams, Charles E. Hotchkiss and Dewitt V. D. Reiley of New York, and Patrick F. King, George W. Knox, James S. Simmons of Niagara Falls, New York, and Henry C. Brewster of Rochester, New York, their associates and successors are constituted a corporation by the name and style of The Lower River Power and Water Supply Company of Niagara.

§ 2. Such corporation shall have power to construct, maintain and operate a pipe or pipes, tunnel or tunnels, in, through and under the town of Lewiston and the city of Niagara Falls and the streets, avenues and highways thereof, extending from such point or points as it may select, outside of the land of the state reservation at Niagara, on the easterly shore of the Niagara river below the Niagara falls, and between the said falls and the southerly boundary line of lot twenty-nine of the Mile reserve, so-called, to such point or points as it may select in lot twenty-nine of the Mile reserve, so-called.

§ 3. Said corporation may take water from the Niagara river between the points hereinbefore specified through such pipe or pipes, tunnel or tunnels and may discharge such water into the Niagara river at a point or points between the northerly and the southerly boundary lines of lot twenty-nine of the Mile reserve, so-called.

§ 4. Said corporation shall also have the right to develop and generate from the flow of such water or any other water which it may hereafter acquire the right to use hydraulic power and electrical light, heat and power, to accumulate, conduct, store, sell, lease, furnish, operate, use and supply such water and the light, heat and power developed and generated from the flow of such water for fire, sanitary, municipal, domestic, manufacturing, agricultural, illuminating, electrical, transportation and navigation purposes and shall also have power by hydraulic or electrical conductors or by other devices to conduct, convey, furnish and supply such water and electricity to any town, village or city within the county of Niagara and the inhabitants thereof for the purposes

aforesaid at such rates as may be agreed upon and under such reasonable regulations as the common council of any city, the trustees of any village or the highway commissioners of any town in or through which such conductors or other devices shall be constructed, operated or maintained, may prescribe. It may build, erect, construct, dig and lay any pipes, tunnels, raceways, tailraces, ditches, locks, piers, inlet piers, bulkheads, dams, gates, sluices, reservoirs, canals, aqueducts, conduits, sewers, flumes, culverts, posts, abutments, conductors, cables, wires, insulators or other works, machinery, fixtures or buildings of every kind and description whatsoever that may be necessary, proper or convenient for any of its purposes.

§ 5. Said corporation may enter upon and use the ground or soil under any street, highway, road or railroad land, within the cities, towns and villages within which its operations are carried on for any of its purposes aforesaid, and such right shall be continuous for such purposes, including the relaying, repairing, altering or extending of its works. And in case said corporation cannot agree with any railroad corporation whose roads or lands it may be proper or necessary to cross with its tunnels, canals, raceways or other works upon the amount of compensation to be made therefor, or the point or manner of crossing, the same shall be determined in the mode provided for determining the manner of the crossing or intersecting of one railroad by another railroad in and by the railroad law, being chapter five hundred and sixty-five of the laws of eighteen hundred and ninety, and the various acts amendatory thereof and supplementary thereto.

§ 6. Said corporation may acquire title by purchase or lease to such lands or rights, interests or easements therein as may be necessary for the construction, maintenance and operation of its pipes, tunnels, canals, raceways, sewers, flumes, conduits, wires, insulators or other works, machinery, fixtures or buildings of every kind and description whatsoever. It may intercept and divert the flow of water from the lands of riparian owners, and, when necessary, proper or convenient for any of its purposes, may purchase or lease water or any rights or interests therein or thereto from any person or corporation having the power to sell or lease the same in the county of Niagara, and shall have such further and incidental powers as may be necessary and proper for carrying into effect the purposes of this act.

§ 7. Said corporation shall also have the right to take and acquire, by condemnation, proceeding in the manner provided by law, and on payment of just compensation to the owner, any rights and interests of riparian owners in the flow of waters required and necessary for its purposes and any real property or right, interest or easement therein, (except property of De

Veaux College for Orphan and Destitute Children), required and necessary for the construction and maintenance of its pipes, tunnels, intakes, canals, raceways and tailraces, and for the flow of water thereinto and therefrom, and for the laying, relaying, repairing and maintenance of its conductors, cables, wires, insulators and pipes for the purpose of supplying water or electricity as hereinbefore provided. All property required by said corporation for the purposes of its incorporation shall be deemed to be required for public use.

§ 8. The powers granted by this act to transmit and use electricity and to conduct and supply water shall be subject to the general laws of the state and the municipal orders of the several cities, villages and towns within which it shall be transmitted or used and shall not be exercised within the limits of any town, village or city without securing the consent of the local authorities thereof, as provided by law for the exercise of a similar power by any other person or corporation. If the consent of the property owners and town, village and city authorities cannot otherwise be obtained, said corporation may apply to the supreme court at any special term thereof in the eighth judicial district for the appointment of three commissioners to determine whether such consents ought to be granted and the right given to said corporation to construct and maintain the appurtenances for conducting and supplying water and electricity or power along such lines as said corporation may deem necessary. Such commissioners shall be appointed in the same manner and upon the notice and have like power over questions so to be referred to them as is provided in section ninety-four of the railroad law, except that the supreme court at special term shall be substituted for the general term or appellate division as the court in which any such proceedings shall be taken.

§ 9. The powers herein granted shall not in any sense be construed as permission to go under, through, over or upon, or to cross, intersect or infringe upon any part of the lands of De Veaux College for Orphan and Destitute Children without the consent of the proper authorities thereof, or to go under, through, over or upon, or to cross, intersect or infringe upon any part of the lands of the state reservation at Niagara, or to impair or obstruct the practical navigation of the Niagara river, or to take therefrom more water than shall be sufficient to produce two hundred thousand effective horse power or as conferring any exclusive privilege or franchise whatever.

§ 10. Said corporation shall possess the powers and privileges and be subject to the restrictions and liabilities contained in and be regulated by the following statutes, so far as the same are

applicable, namely: The general corporation law, being chapter six hundred and eighty-seven, laws of eighteen hundred and ninety-two; the stock corporation law, being chapter six hundred and eighty-eight, laws of eighteen hundred and ninety-two.

§ 11. The capital stock of such corporation shall be fixed by the directors thereof, not to exceed the sum of five million dollars, and shall be divided into shares of one hundred dollars each.

§ 12. If the said corporation shall not actually and in good faith commence work within ten years from and after the date of the passage of this act, this act and all rights and privileges granted thereby shall be null and void.

§ 13. The duration of said corporation shall be one hundred years.

§ 14. This act shall take effect immediately.

JAS. T. ROGERS,
Chairman.

Which report was agreed to, and said substitute bill ordered printed and placed on the order of second reading.

Mr. Doughty, from the committee on internal affairs, to which was referred the bill introduced by Mr. S. W. Smith, Int. No. 1568, entitled "An act to amend chapter 52 of the Laws of 1893, entitled 'An act to make the office of county clerk of Columbia county a salaried office and regulating the management of said office,' in relation to assistants" (No. 2295), retaining its place on the order of third reading, reported in favor of the passage of the same without amendment, which report was agreed to, and said bill ordered restored to its place on the order of third reading.

Mr. Doughty, from the committee on internal affairs, to which was referred the bill introduced by Mr. Van Name, Int. No. 1474, entitled "An act providing that all assessments in the county of Richmond shall be made by assessors residing in said county" (No. 2109), reported in favor of the passage of the same, with the following amendments:

Page 1, line 2, strike out the words "the borough of Richmond in the county of" and insert the words "any county of this state."

Same page, line 3, strike out the word "Richmond."

Same page, line 4, strike out the words "in the county of" and insert the words "of such county."

Same page, line 5, strike out the word "Richmond."

Amend the title to read as follows: "An act providing that all assessments shall be made by local assessors."

GEORGE W. DOUGHTY,

Chairman.

Which report was agreed to, and said bill ordered reprinted as amended, and placed on the order of second reading.

Mr. Doughty, from the committee on internal affairs, to which was referred the Senate bill introduced by Mr. Malby, Rec. No. 317, entitled "An act to repeal chapter 394 of the Laws of 1866, entitled 'An act to provide for and legalize the election of an additional justice of the peace in the town of DeKalb, in the county of St. Lawrence'" (No. 1166), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Doughty, from the committee on internal affairs, to which was referred the Senate bill introduced by Mr. Davis, Rec. No. 338, entitled "An act to amend chapter 108 of the Laws of 1891, entitled 'An act to make the office of sheriff of Erie county a salaried office in part and regulating the management of said office' by providing for the compensation of the under sheriff and deputy sheriffs designated by the board of supervisors of said county" (No. 887), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Doughty, from the committee on internal affairs, to which was referred the Senate bill introduced by Mr. White, Rec. No. 355, entitled "An act to amend chapter 151 of the Laws of 1844, entitled 'An act to authorize the construction of a timber, plank or hard road from Salina in the county of Onondaga, to Central Square in the county of Oswego,' in relation to the toll charges for automobiles" (No. 1257), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Griffith, from the committee on public education, to which was referred the bill introduced by Mr. Fowler, Int. No. 1604,

entitled "An act to amend chapter 556 of the Laws of 1894, entitled 'An act to revise, amend and consolidate the general acts relating to public instruction'" (No. 2392), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Griffith, from the committee on public education, to which was referred the bill introduced by Mr. Fowler, Int. No. 1620, entitled "An act to amend chapter 466 of the Laws of 1866, entitled 'An act in regard to normal schools,' in relation to officers of local boards and their compensation" (No. 2422), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Griffith, from the committee on public education, to which was referred the bill introduced by Mr. Griffith, Int. No. 1527, entitled "An act to amend section 1, title 9 of chapter 556 of the Laws of 1894, entitled 'An act to revise, amend and consolidate the general acts relating to public instruction'" (No. 2237), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Patton, from the committee on charitable and religious societies, to which was referred the bill introduced by Mr. Cotton, Int. No. 1639, entitled "An act to amend the proceedings incorporating the Long Island Baptist Association" (No. 2446), retaining its place on the order of third reading, reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill ordered restored to its place on the order of third reading.

Mr. Fancher, from the committee on Indian affairs, to which was referred the bill introduced by Mr. Darrison, Int. No. 1403, entitled "An act to amend the Indian Law, in relation to the powers of Indians to contract, the powers of the Commissioner of the Land Office, in relation to Indians, the enrollment of members of the Tuscarora nation, and the disqualification of the chiefs of such nation in council in certain cases" (No. 1957), reported in favor of the passage of the following substitute bill:

AN ACT to amend the Indian law, in relation to the distribution and descent of property and the powers of Indians to contract, the powers of the commissioner of the land office in relation to Indians, the enrollment of members of the Tuscarora and Tonawanda nations and the disqualification of the chiefs of the Tuscarora nation in council in certain cases.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Section two of chapter six hundred and seventy-nine of the laws of eighteen hundred and ninety-two entitled "An act in relation to Indians constituting chapter five of the general laws," as amended by chapter two hundred and twenty-nine of the laws of eighteen hundred and ninety-three, is hereby amended to read as follows:

§ 2. Power to contract.—An Indian of the Tonawanda and Tuscarora nations shall be liable on his contracts [not prohibited by law]; and a native Indian may take, hold and convey real property the same as a citizen. Upon becoming a freeholder to the value of one hundred dollars he shall be subject to taxation. [No person shall maintain an action on a contract against any Indian of the Tonawanda nation, the Seneca nation or Onondaga tribe, nor against any of their Indian friends, residing with them on their reservations in this state, and every person who prosecutes such an action shall be liable to treble costs to the party aggrieved.]

§ 2. Section thirteen of such chapter as amended by chapter two hundred and twenty-nine of the laws of eighteen hundred and ninety-three, is hereby amended to read as follows:

§ 13. Powers of commissioners of land office in relation to Indians.—The commissioners of the land office, with the approval of the governor, shall hear and determine all questions which may arise in relation to moneys under the control of the state, belonging to any nation, tribe or band of Indians, or any individual Indian or his descendants and all questions which may arise between the various parties of such tribe or nation in relation to any of their lands, or the avails thereof; and shall make such treaties, contracts and arrangements with any such nation, tribe or band, or individuals, who have any claim upon any land in this state, or any money belonging to them under the control of the state, or for the purchase of any portion of such lands as they may deem just and proper, or in relation to the expense of laying out and keeping in repair any public road passing through any lands occupied by Indians. This section shall not apply to Seneca or Tonawanda nations, nor to any

action or proceedings of which any state or federal court has jurisdiction.

§ 3. Article one of such chapter is hereby amended by adding at the end thereof a new section to be known as section sixteen and to read as follows:

§ 16. Descent and distribution of property.—The descent and distribution of real and personal property of persons of Indian blood of the Tonawanda and Tuscarora nations shall be governed by and be subject to the same laws as are applicable to citizens. Chapter eighteen of the code of civil procedure, and all laws amendatory thereof, and supplemental thereto, shall apply to the Indians of this state.

§ 4. Article five of such chapter is hereby amended by adding at the end thereof a new section to be known as section eighty-eight and to read as follows:

§ 88. Enrollment as members of nations.—All Indians born upon the Tonawanda reservation, who make it their permanent residence, and all other Indians who have resided thereon for a period of five years, and either of whom are not now enrolled as Tonawanda Indians, upon written application being made by verified petition to the chiefs in council, by them personally, if adults; or by their parents, guardian or next friends, in their behalf, if they be minors, shall be entitled, except for good and sufficient legal cause shown to enrollment as members of the Tonawanda nation. In case of the rejection by a majority vote of any such application for admission by the council, their decision shall be subject to revision on appeal to the county judge of the county by the institution of a special proceeding, brought in the name of the applicant, as petitioner, against the Tonawanda nation, on twenty days' written notice to the council. The county judge shall have power on presentation to him of a verified petition reciting the facts to summon the parties before him and to hear, try and determine the matter anew on the merits, and his decision and determination therein, shall be binding upon the nation, and enforceable by contempt proceedings or other proper legal remedy. Failure of the council to entertain or act upon a petition within three months after the presentation thereof, shall be deemed a denial of such petition by the council, sufficient for the purposes of making application as above provided to the county judge.

§ 5. Article six of such chapter is hereby amended by adding at the end thereof two sections to be sections ninety-five and ninety-six, and to read as follows:

§ 95. Enrollment as members of nation.—All Indians born upon the Tuscarora reservation, who make it their permanent residence, and all other Indians who have resided thereon for a

period of five years, either of whom are not now enrolled as Tuscarora Indians, upon written application being made by verified petition to the chiefs in council, by them personally, if adults, or by their parents, guardians or next friends, in their behalf, if minors, shall be entitled, except for good and sufficient legal cause shown, to enrollment as members of the Tuscarora nation. In case of the rejection by a majority vote of the council of any such application for admission, their decision shall be subject to revision on appeal to the county judge of the county of Niagara, by the institution of a special proceeding, brought in the name of the applicant, as petitioner, against the Tuscarora nation, on twenty days' written notice to the council. The county judge shall have power on presentation to him of a verified petition reciting the facts to summon the parties before him and to hear, try and determine the matter anew on the merits, and his decision and determination therein, shall be binding upon the nation, and enforceable by contempt proceedings or other proper legal remedy. Failure of the council to entertain or act upon a petition within three months after the presentation thereof, shall be deemed a denial of such petition by the council, sufficient for the purposes of making application as above provided to the county judge.

§ 96. Disqualification of chief to sit in certain cases.—A chief shall not sit in council in the Tonawanda and Tuscarora nations, or act in any case where he is related by blood to either of the parties within the fourth degree by the common law, or has any interest in the action or proceeding.

§ 6. Nothing in this act shall affect any civil action or proceeding now pending in any court in this state.

§ 7. This act shall take effect immediately.

ALBERT T. FANCHER,
Chairman.

Which report was agreed to, and said substitute bill ordered printed and placed on the order of second reading.

Mr. Hatch, from the committee on revision, to which was referred the following entitled bills, reported the same without recommendations:

“An act authorizing the village of Ellenville, in the county of Ulster, to raise money by issuing bonds for the establishment of a gas or electric light plant, for said village.” (No. 2344, Int. No. 1300.)

“An act to amend section 31 of chapter 559 of the Laws of 1895, known as the ‘Membership Corporations Law,’ in relation

to membership corporations formed for the purpose of gathering and procuring information and intelligence for the use and benefit of its members." (No. 2424, Int. No. 1622.)

"An act to provide for the construction of a vertical wall on the south side of the Erie canal, from the west side of bridge No. 131 of section 10 of the Erie canal, and making an appropriation therefor." (No. 2378, Int. No. 320.)

Senate, "An act to amend the Penal Code, relating to the sentencing of convicts to State prisons." (No. 2414, Rec No. 255.)

"An act authorizing an investigation as to the expediency and cost of establishing a municipal electric lighting plant in and for the city of Syracuse." (No. 2345, Int. No. 1364.)

"An act to amend section 56 of the Code of Criminal Procedure, relating to jurisdiction of courts of special sessions." (No. 2415, Int. No. 1405.)

"An act to enable the county of Erie and the town of Grand Island to construct a bridge from the town of Grand Island across the east branch of the Niagara river to the main land, and to issue bonds therefor." (No. 2384, Int. No. 1516.)

"An act to amend the Election Law, relative to independent nominations." (No. 2341, Int. No. 62.)

"An act to amend the Domestic Commerce Law, in relation to the size of apple, pear, quince and potato barrels." (No. 2376, Int. No. 194.)

"An act to amend chapter 360 of the Laws of 1898, entitled 'An act to amend chapter 413 of the Laws of 1897, entitled An act relating to State finance, constituting chapter 10 of the general laws, and known as the State Finance Law, in reference to the education fund,' in relation to the compensation of loan commissioners in connection with the sale of land acquired by foreclosure." (No. 2377, Int. No. 228.)

"An act to amend the Insanity Law, relative to the care and support of indigent insane." (No. 2348, Int. No. 1431.)

Senate, "An act to amend section 82 of chapter 683 of the Laws of 1892, known as the Executive Law, with respect to notaries public acting in more than one county." (No. 2340, Rec. No. 46.)

“An act to amend the Tax Law, in relation to expense incurred by county treasurers in publishing notice to redeem land sold for taxes.” (No. 2380, Int. No. 681.)

“An act making an appropriation for the construction of buildings for the New York State Hospital for the Treatment of Incipient Pulmonary Tuberculosis.” (No. 2390, Int. No. 145.)

“An act authorizing the board of education of Union Free School District No. 1, of the town of Catskill, county of Greene, N. Y., to enter into an agreement in regard to the care and maintenance of a public library on lands owned by the Catskill public library in said union free school district.” (No. 2120, Int. No. 1485.)

“An act to amend the Tax Law, relative to appeals to the State Board of Tax Commissioners.” (No. 2379, Int. No. 393.)

Ordered, That said bills be engrossed for a third reading.

Mr. Hatch, from the committee on revision, to which was referred the bill (No. 2403) entitled “An act to amend chapter 339 of the Laws of 1884, relative to navigation on Chautauqua lake” (Int. No. 1613), reported the same with the following recommendations:

Page 7, line 14, strike out the word “vessel” and insert the word “vessels.”

Page 9, line 1, after the word “act” insert the words “as amended by chapter three hundred and seventy-six of the laws of eighteen hundred and ninety.”

Same page, line 9, after the word “hundred” insert the words “and ten.”

Same page, at the end of line 11 add the following: “But nothing in this section provided shall be construed to prevent any vessel of twenty tons burden or under which uses refined petroleum for fuel from carrying sufficient refined petroleum, which will not ignite at a temperature of less than one hundred and ten degrees Fahrenheit with which to replenish the fires and properly equip said vessel for use upon said lake. Said petroleum to be carried in metal cans or tanks which shall be properly protected by a covering of wood or other substance which would equally protect from accident and be approved by said commissioners, and to be conveyed from said cans or tanks to the said fires through metal pipes.”

Page 11, line 25, after the word “provided” insert the word “in” in brackets and underscore the word “by.”

Page 16, line 20, strike out the word "the" and capitalize the letter "S" in the word "said."

HYATT C. HATCH,
Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Hatch, from the committee on revision, to which was referred the bill (No. 2418) entitled "An act to amend chapter 128 of the Laws of 1899, entitled 'An act to incorporate the city of New Rochelle,' as amended by chapters 462 and 550 of the Laws of 1900, in relation to playgrounds for children" (Int. No. 1572), reported the same with the following recommendations:

Page 1, line 1, strike out the words "said act" and insert in lieu thereof the words "chapter one hundred and twenty-eight of the laws of eighteen hundred and ninety-nine, entitled 'An act to incorporate the city of New Rochelle.'"

Same page, lines 1 and 2, strike out the words "adding thereto" and insert the words "inserting therein" in lieu thereof.

Same page, line 3, strike out the words "which shall" and insert the word "to" in lieu thereof.

Amend the title to read as follows: "An act to amend the charter of the city of New Rochelle, in relation to playgrounds for children."

HYATT C. HATCH,
Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Hatch, from the committee on revision, to which was referred the bill (No. 2385) entitled "An act to amend the Highway Law, in relation to the use of highways" (Int. No. 1537), reported the same with the following recommendations:

Page 1, line 2, strike out the word "seventy" and insert the word "sixty" in lieu thereof.

Same page, line 3, after the word "highways" insert a comma.

HYATT C. HATCH,
Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Hatch, from the committee on revision, to which was re-

ferred the bill (No. 2428) entitled "An act to amend subdivisions 4 and 5 of sections 145 and 146 of the Laws of 1893, entitled 'An act in relation to the public health, constituting chapter 25 of the general laws,' as amended by chapter 111 of the Laws of 1896, in regard to the right of the Regents to admit to examination in certain medical studies" (Int. No. 1626), reported the same with the following recommendations:

Page 1, line 2, after the word "forty-five" insert the following: "of chapter six hundred and sixty-one of the laws of eighteen hundred and ninety-three, entitled 'An act in relation to the public health, constituting chapter twenty-five of the general laws.'"

Same page, same line, strike out all of said line after the word "forty-five."

Same page, strike out all of line 3.

Same page, line 4, strike out the words "the general laws" and after the word "chapter" insert the following: "six hundred and thirty-six of the laws of eighteen hundred and ninety-five and chapter."

Page 2, line 1, strike out the word "is" and insert the word "are" in lieu thereof.

Same page, line 6, strike out the word "college" and insert the word "school" in lieu thereof.

Same page, strike out all of lines 23 and 24.

Page 3, line 20, strike out the word "requirement" and insert the word "requirements" in lieu thereof.

Page 4, line 1, bracket the word "thirteen" and after said word insert the word "thirteenth" underscored.

Same page, line 14, underscore the letters "th" at the end of the word "thirteenth."

Page 5, line 3, strike out the words "shall be" and insert the words "is hereby" in lieu thereof.

Same page, same line, strike out the figure "3" and insert the figure "2" in lieu thereof.

Same page, line 13, underscore the word "and" where it appears the second time.

Same page, line 17, strike out the word "examiner" and insert the word "examiners" in lieu thereof.

Same page, line 18, before the word "This" insert "§ 3."

Same page, strike out all of line 24.

Amend the title to read as follows: "An act to amend the public health law, in regard to the right of the regents to admit to examination in certain medical studies."

HYATT C. HATCH,
Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Hatch, from the committee on revision, to which was referred the bill (No. 2405) entitled "An act to amend section 18 of chapter 21 of the Laws of 1886, entitled 'An act providing for commutation of sentences for good behavior of convicts in the prisons and penitentiaries in this State'" (Int. No. 1615), reported the same with the following recommendations:

Page 1, line 2, strike out the word "ninety" and insert the word "eighty" in lieu thereof.

Same page, lines 4 and 5, strike out the words "so as."

Page 2, line 1, strike out the underscoring from the word "for."

Amend the title to read as follows: "An act to amend section eighteen of chapter twenty-one of the laws of eighteen hundred and eighty-six, entitled 'An act providing for commutation of sentences for good behavior of convicts in the prisons and penitentiaries in this state,' relative to insane criminals."

HYATT C. HATCH,

Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Hatch, from the committee on revision, to which was referred the bill (No. 2343) entitled "An act to amend chapter 694 of the Laws of 1900, entitled 'An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of the city of Rochester and others against the State'" (Int. No. 1011), reported the same with the following recommendations:

Page 1, line 5, strike out the words "so as."

Amend the title to read as follows: "An act to amend chapter six hundred and ninety-four of the laws of nineteen hundred, entitled 'An act to confer jurisdiction upon the court of claims to hear, audit and determine the alleged claim of the city of Rochester and others against the state,' relative to the awards to be made against the state."

HYATT C. HATCH,

Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Hatch, from the committee on revision, to which was referred the bill (No. 2347) entitled "An act to amend chapter 677 of the Laws of 1892, entitled 'The Statutory Construction Law'" (Int. No. 1422), reported the same with the following recommendations:

Page 1, lines 2 and 3, strike out the words "the statutory construction law" and insert in lieu thereof the words "An act relating to the construction of statutes, constituting chapter one of the general laws."

Same page, line 3, strike out the word "adding" and insert in lieu thereof the words "inserting therein after section three."

Same page, line 4, strike out the word "number" and insert the word "section" in lieu thereof.

Amend the title to read as follows: "An act to amend the statutory construction law, defining common lands."

HYATT C. HATCH,
Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Hatch, from the committee on revision, to which was referred the bill (No. 2388) entitled "An act to amend the General Municipal Law, relative to the passage of ordinances relating to children upon the public streets during certain hours of the night" (Int. No. 848), reported the same with the following recommendations:

Page 1, line 5, strike out the word "nine" and insert the word "eight" in lieu thereof.

Same page, line 7, strike out the figures "29" and insert the figures "28" in lieu thereof.

Same page, line 8, insert a comma after the word "enact" and a comma after the word "discretion."

HYATT C. HATCH,
Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Hatch, from the committee on revision, to which was referred the bill (No. 2349) entitled "An act to amend the Greater New York charter, in relation to setting apart certain piers in the borough of Manhattan for recreative purposes" (Int. No. 1487), reported the same with the following recommendations:

Page 2, line 2, underscore the words "in its discretion."

Same page, line 4, underscore the word "and."

Same page, line 8, after the word "of" insert the word "the."

Same page, line 20, strike out the word "thereof" and insert the word "hereof" in lieu thereof.

Page 3, line 2, after the word "under" insert the word "the."

Amend title by striking out the word "Manhattan" and inserting the word "Queens" in lieu thereof.

HYATT C. HATCH,

Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Babcock, from the committee on printed and engrossed bills, reported as correctly printed the following entitled bills:

"An act to authorize the town board of the town of Brownville to borrow money to levy a tax for the purpose of providing for the expenses of the town board of health of said town." (No. 2351, Int. No. 1505.)

"An act to legalize and confirm the official acts of James F. McGee, a commissioner of deeds of the city of New York." (No. 2297, Int. No. 1570.)

"An act to provide for the continuance of the bureau of elections in the city of New York." (No. 2289, Int. No. 1099.)

"An act to amend the Tax Law, in relation to the return by the collector of unpaid taxes." (No. 2288, Int. No. 705.)

"An act to amend the Railroad Law, in relation to the acquisition of property by street surface railroad corporations." (No. 2318, Int. No. 1331.)

"An act to authorize the construction and maintenance of a public market or markets in the city of Rochester, and the location and acquisition of grounds therefor, and to provide for the maintenance thereof." (No. 2326, Int. No. 1580.)

"An act authorizing the city of Rome to issue bonds for the purpose of extending and constructing street improvement, and paying indebtedness heretofore incurred on account of street improvements, and the cleaning and keeping of the streets in repair." (No. 2294, Int. No. 1567.)

"An act to provide for the pensioning of policemen who have served twenty years on the police force of the village and city of Jamestown." (No. 2012, Int. No. 1440.)

"An act to amend chapter 151 of the Laws of 1844, entitled 'An act to authorize the construction of a timber, plank or hard road from Salina in the county of Onondaga, to Central Square in the county of Oswego,' in relation to the toll charges for automobiles." (No. 2153, Int. No. 1507.)

"An act to regulate public dancing in certain counties of the State." (No. 2191, Int. No. 1513.)

"An act to establish a commission for the maintenance and operation of the municipal electric light plant of the village of Green Island, Albany county, N. Y." (No. 2188, Int. No. 1041.)

"An act relative to the examination of Edward C. Brennan for admission to practice as an attorney and counsellor at law." (No. 2411, Int. No. 1264.)

"An act to amend section 91 of the Railroad Law, in relation to certificates of extension." (No. 2374, Int. No. 572.)

"An act to amend chapter 511 of the Laws of 1889, entitled 'An act to amend, revise and consolidate the several acts relating to the village of Cooperstown, in the county of Otsego,' relative to the powers of trustees." (No. 2323, Int. No. 1577.)

"An act to amend section 31 of chapter 559 of the Laws of 1895, known as the 'Membership Corporations Law,' in relation to membership corporations formed for the purpose of gathering and procuring information and intelligence for the use and benefit of its members." (No. 2424, Int. No. 1622.)

"An act to confirm in and to George W. Kenyon prior grants of certain land under the waters of New York bay in the county of Kings made by the people of the State of New York, and to release to him the title and interest, if any, now remaining in the people of the State of New York in and to said land." (No. 1023, Int. No. 873.)

"An act to amend the Railroad Law, in relation to grade crossings." (No. 2342, Int. No. 977.)

"An act to extend and regulate liability of employers to employees and others for injuries suffered by them." (No. 2375, Int. No. 38.)

"An act to amend the Legislative Law, relative to officers and employees of the Senate and Assembly and their compensation." (No. 2354, Int. No. 1556.)

“An act to legalize the appropriation for the year 1901 of the sum of \$5,000 made by the board of estimate and apportionment of the city of New York in its discretion to make an annual appropriation for the benefit of the benevolent funds of the former volunteer fire departments of the former towns of New Lots, Flatbush, New Utrecht, Gravesend and Flatlands.” (No. 2353, Int. No. 1545.)

“An act to amend the Agricultural Law, relative to San Jose scale and transportation of nursery stock offered therein.” (No. 2408, Int. No. 1560.)

Senate, “An act to amend chapter 322 of the Laws of 1890, entitled ‘An act to revise, amend and consolidate the several acts relating to the village of Plattsburgh, and to repeal certain acts and parts of acts,’ and to create a commission for the improvement of said village and define its powers and duties.” (No. 2410, Rec. No. 322.)

“An act to amend chapter 115 of the Laws of 1898, entitled ‘An act to provide for the improvement of the public highways,’ in relation to the amount of money to be expended by State Engineer in any one year, in any one county.” (No. 2412, Int. No. 1194.)

“An act to amend the Forest, Fish and Game Law, in relation to quail in Cayuga, Wyoming, Niagara, Monroe, Saratoga, Cattaraugus, Chautauqua and Erie counties.” (No. 2413, Int. No. 509.)

Mr. Speaker announced the special order being the bill (No. 1273) entitled “An act to amend the Railroad Law, in relation to tickets” (Int. No. 1036), having been announced for a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, and three-fifths being present.

{ AYES 64 }
 { NOES 58 }

Those who voted in the affirmative, were

Adams	Coughtry	Hasenflug	Meister	Ross
Apgar	DeGraw	Hitchcock	O'Brien	Scanlon
Axtell	Delaney	Holsten	O'Connell	Schneider
Babcock	Doughty	Irwin	Plank	Smith J E
Baum	Egan	Juengst	Poth	Smith J T
Bedell	Everett	Kelly	Prince	Smith W H
Brill	Fish	Landon	Rainey	Snyder
Brooks	Fitzgerald	Lewis T D	Reilley	Sullivan
Burns	Fitzpatrick	Mains	Richter	Swift
Cook	Gardiner R	Mansfield	Rider	Waite
Cooley	Gardner C J	Mathews	Rierdon	Weber
Coons	Graeff	McInerney	Roberts	Wilson H
Costello	Hallock	McKeown	Robinson	

Those who voted in the negative, were

Ahern	Dempsey	Hanford	Morgan	Seymour
Allds	Dickey	Harburger	Nye	Smith A R
Bell	Duross	Harris	Patton	Smith J L
Bennet	Dusinbery	Hatch	Phillips	Stevens
Blackwell	Ellis	Hyman	Phipps	Thorn
Bradley	Fancher	Kaiser	Platt	Traub
Bryan	Fisher	Kelsey	Price	Ulmann
Burnett	Fowler	Knipp	Remsen	Vacheron
Cadin	Frisbie	Leggett	Reynolds	Van Name
Cotton	Galbraith	Lynn	Rodenbeck	Walrath
Daly	Halpin	Marson	Ruehl	Weekes
Darrison	Hammond	McQuade		

Mr. Everett moved to reconsider the vote by which said bill was lost and that that motion lie on the table.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Everett, and it was determined in the affirmative.

The bill (No. 1880) entitled "An act to amend the Public Health Law, relative to the practice of hypnotism, mesmerism, suggestive therapeutics and allied phenomena" (Int. No. 1345), having been announced for a second reading,

On motion of Mr. Babcock, said bill was laid aside, retaining its place on the order of second reading.

The bill (No. 2356) entitled "An act authorizing villages of the

fourth class containing a territory of less than one square mile to accept the dedication of private streets as parkways and providing for the maintenance thereof " (Int. No. 1585), was read the second time.

On motion of Mr. Cooley, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1787) entitled "An act to amend the Tax law, in relation to redemption from tax sales " (Int. No. 1308), was read the second time.

On motion of Mr. Rogers, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2333) entitled "An act to amend the Code of Civil Procedure, relative to the powers and liabilities of testamentary trustees " (Int. No. 1220), having been announced for a third reading,

On motion of Mr. Dooling, said bill was laid aside, retaining its place on the order of third reading.

The bill (No. 2350) entitled "An act to amend chapter 105 of the Laws of 1891, entitled 'An act to revise the charter of the city of Buffalo,' and the several acts amendatory thereof and supplemental thereto, in relation to the payment of pensions to matrons of the police force " (Int. No. 1499), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 105 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Duross	Knipp	Platt	Sherer
Adler	Egan	Landon	Poth	Smith A R
Allds	Everett	Leggett	Price	Smith J E
Apgar	Fancher	Lewis T D	Prince	Smith J L
Babcock	Fisher	Lynn	Rainey	Smith J T
Baker	Fitzpatrick	Mansfield	Reilley	Smith S W
Bedell	Fowler	Marson	Remsen	Smith W H

Bennet	Frisbie	Mathews	Reynolds	Snyder
Blackwell	Gardiner R	McInerney	Richter	Stevens
Brill	Geoghan	McMillan	Rider	Sullivan
Bryan	Halpin	McQuade	Rierdon	Swarts
Burns	Hanford	Meister	Richter	Swift
Conger	Harris	Morgan	Robinson	Thorn
Cooley	Hatch	Nye	Rogers	Traub
Costello	Hawkins	O'Connell	Ross	Treat
Cotton	Holsten	O'Malley	Ruehl	Ulmann
Daly	Hyman	Orr	Salyerds	Vacheron
Darrison	Juengst	Patton	Sanders	Waite
DeGraw	Keenan	Phillips	Scanlon	Walrath
Delaney	Kelly	Phipps	Schneider	Weber
Dooling	Kelsey	Plank	Seymour	Wilson H

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill (No. 905) entitled "An act to amend section 37 of the Agricultural Law, entitled 'An act in relation to agriculture, constituting articles 1, 2, 3, 4 and 5 of chapter 33 of the general laws,' relating to penalties" (Rec. No. 196), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{	AYES	87	}
{	NOES	2	}

Those who voted in the affirmative, were

Adams	Cotton	Hammond	McInerney	Ruehl
Adler	Darrison	Hanford	McMillan	Sanders
Ahern	Davis	Harris	McQuade	Scanlon
Allds	Delaney	Hatch	Morgan	Schneider
Allston	Dickey	Hawkins	Nye	Sherer
Apgar	Dooling	Henry	O'Connell	Smith A R
Axtell	Duross	Holsten	Orr	Smith J T
Baker	Dusinbery	Hyman	Patton	Smith W H
Bedell	Ellis	Irwin	Phipps	Stevens
Bennet	Fancher	Juengst	Platt	Swarts
Bradley	Fisher	Kaiser	Poth	Swift

Brooks	Fitzpatrick	Kelly	Prince	Thorn
Bryan	Fordyce	Knipp	Reilley	Treat
Burns	Frisbie	Lewis T D	Reynolds	Vacheron
Cadin	Gardiner R	Lynn	Rider	Waite
Cook	Gardner C J	Mansfield	Rierdon	Weber
Cooley	Graeff	Marson	Rogers	Wilson H
Costello	Hallock			

Those who voted in the negative, were

Geoghan Kelsey

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 536) entitled "An act to amend section 1756 of the Code of Civil Procedure, in relation to actions for a divorce" (Rec. No. 84), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, and three-fifths being present.

{	AYES	15	}
{	NOES	83	}

Those who voted in the affirmative, were

Bennet	Graeff	Lewis T D	O'Malley	Smith W H
Brooks	Hyman	Mains	Patton	Traub
Cook	Landon	Morgan	Ruehl	Waite

Those who voted in the negative, were

Adams	Davis	Griffith	McQuade	Rierdon
Ahern	DeGraw	Hallock	Nye	Robinson
Allds	Dempsey	Hammond	O'Brien	Rodenbeck
Allston	Dickey	Hanford	McKeown	Rogers
Babcock	Dickinson	Harburger	Phillips	Seymour
Blackwell	Duross	Harris	Phipps	Smith A R
Bradley	Dusinbery	Hatch	Plank	Smith J E
Brill	Everett	Hitchcock	Platt	Smith J T
Bruckner	Fish	Holsten	Price	Snyder
Burnett	Fisher	Juengst	Prince	Sullivan
Cadin	Fitzgerald	Kaiser	Rainey	Swift

Cooley	Fitzpatrick	Kelsey	Reilley	Thorn
Coons	Fowler	Knipp	Remsen	Treat
Costello	Frisbie	Lewis M E	Reynolds	Vacheron
Cotton	Gardiner R	Lynn	Richter	Van Name
Daly	Gardner C J	Mathews	Rider	Weber
Darrison	Geoghan	McKeown		

Mr. Cook moved to reconsider the vote by which said bill was lost and that that motion lie on the table.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Cook, and it was determined in the affirmative.

The Senate bill (No. 1261) entitled "An act to amend chapter 321 of the Laws of 1898, entitled 'An act to make the office of sheriff of Oneida county a salaried office, and to regulate the management thereof'" (Rec. No. 356), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 105 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	DeGraw	Hatch	McMillan	Ross
Adler	Delaney	Henry	McQuade	Ruehl
Allds	Dempsey	Hitchcock	Meister	Salyerds
Allston	Dickinson	Holsten	Morgan	Scanlon
Axtell	Dooling	Hyman	Nye	Schneider
Babcock	Duross	Juengst	O'Brien	Sherer
Baker	Dusinbery	Kaiser	O'Connell	Smith A R
Bedell	Egan	Keenan	Orr	Smith J E
Bell	Everett	Kelly	Patton	Smith J T
Blackwell	Fish	Kelsey	Phipps	Smith S W
Brill	Fitzgerald	Knipp	Plank	Snyder
Brooks	Fordyce	Landon	Platt	Stevens
Bryan	Fowler	Leggett	Price	Swarts
Burnett	Frisbie	Lewis M E	Rainey	Swift
Cadin	Gardiner R	Lewis T D	Remsen	Traub

Conger	Geoghan	Lynn	Reynolds	Treat
Cooley	Griffith	Mains	Richter	Vacheron
Coons	Hallock	Mansfield	Rierdon	Waite
Cotton	Hammond	Marson	Roberts	Walrath
Daly	Harburger	Mathews	Rodenbeck	Weber
Darrison	Hasenflug	McKeown	Rogers	Wilson H

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 2302) entitled "An act to amend chapter 671 of the Laws of 1892, entitled 'An act to revise, consolidate and amend the several acts relating to the government of the city of Cohoes,' in relation to the time of holding the annual meeting of the common council of said city, the commencement of the fiscal year and of the terms of office of certain officers in said city" (Int. No. 1480), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 99 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Delaney	Hawkins	McQuade	Salyerds
Adler	Dempsey	Henry	Morgan	Sanders
Allds	Dickinson	Holsten	Nye	Schneider
Apgar	Doughty	Honeck	O'Brien	Sherer
Axtell	Duross	Irwin	O'Malley	Smith A R
Baker	Egan	Juengst	Orr	Smith J E
Bedell	Everett	Kaiser	Phillips	Smith J L
Bell	Fish	Keenan	Phipps	Smith S W
Blackwell	Fitzgerald	Kelly	Platt	Snyder
Brill	Fitzpatrick	Kelsey	Price	Stevens
Bruckner	Fowler	Knipp	Prince	Swarts
Bryan	Frisbie	Landon	Rainey	Thorn
Burns	Galbraith	Leggett	Remsen	Traub
Conger	Gardner C J	Lewis T D	Reynolds	Ulmann
Cook	Geoghan	Lynn	Richter	Vacheron

Coons	Griffith	Mains	Rierdon	Waite
Costello	Hammond	Morgan	Roberts	Walrath
Coughtry	Hanford	Mathews	Rodenbeck	Weber
Daly	Harris	McInerney	Rogers	Wilson H
Davis	Hatch	McMillan	Ross	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 2398) entitled "An act making an appropriation for continuing the acquisition of land in the Adirondack park and for the extension of the forest preserve in the counties of Delaware, Greene, Sullivan and Ulster " (Int. No. 1383), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 98 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Darrison	Hallock	Mansfield	Rogers
Adler	Davis	Halpin	Mathews	Ross
Ahern	DeGraw	Hammond	McInerney	Salyerds
Allds	Delaney	Hanford	McMillan	Scanlon
Allston	Dickey	Harburger	Meister	Seymour
Axtell	Dooling	Hasenflug	Nye	Sherer
Babcock	Doughty	Hatch	O'Brien	Smith J E
Bedell	Dusinbery	Henry	O'Malley	Smith J L
Bell	Egan	Hitchcock	Orr	Smith S W
Blackwell	Ellis	Honeck	Phillips	Snyder
Bradley	Fancher	Hyman	Plank	Sullivan
Brill	Fish	Irwin	Poth	Swarts
Brooks	Fitzgerald	Kaiser	Price	Swift
Bryan	Fitzpatrick	Keenan	Rainey	Traub
Burns	Fordyce	Kelly	Remsen	Ulmann
Conger	Frisbie	Kelsey	Reynolds	Van Name
Cooley	Galbraith	Landon	Rider	Walrath
Coons	Gardiner R	Leggett	Rierdon	Weber
Cotton	Geoghan	Lewis T D	Robinson	Wilson H
Coughtry	Graeff	Mains		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 2273) entitled "An act to amend the Town and Elections Law, relative to propositions for raising money for town purposes" (Int. No. 1551), having been announced for a third reading,

On motion of Mr. Stevens, said bill was laid aside, and ordered stricken from the calendar.

By unanimous consent, Mr. Kelsey called up the Senate bill (No. 1065) entitled "An act for the promotion of agriculture, and making an appropriation for the State fair" (Rec. No. 288), having been announced for a third reading.

On motion of Mr. Kelsey, and by unanimous consent, said bill was ordered placed on the third reading calendar for Thursday next.

By unanimous consent, Mr. O'Malley called up the Senate bill (No. 219) entitled "An act to authorize and empower the board of public works and common council of the city of Buffalo to audit, adjust and pay the claim of Anthony C. Douglass for the actual value of all work performed and materials furnished by him in and about the construction of the tunnel from the pumping station of the Buffalo city water works to the inlet pier, and the extension of such pier in said city" (Rec. No. 31), heretofore laid aside on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 110 }
 { NOES 90 }

Those who voted in the affirmative, were

Adams	Dickinson	Holsten	Nye	Scanlon
Adler	Dooling	Honeck	O'Connell	Schneider
Allds	Duross	Hyman	O'Malley	Seymour
Apgar	Dusinbery	Irwin	Patton	Sherer

Axtell	Egan	Juengst	Phillips	Smith J E
Baker	Everett	Kaiser	Phipps	Smith J L
Bedell	Fancher	Keenan	Plank	Smith J T
Bennet	Fisher	Kelly	Platt	Smith W H
Bradley	Fitzgerald	Knipp	Price	Snyder
Brooks	Fordyce	Landon	Prince	Stevens
Bryan	Frisbie	Leggett	Rainey	Sullivan
Burns	Gardiner R	Lewis M E	Reilley	Swarts
Cadin	Gardner C J	Lewis T D	Reynolds	Thorn
Cook	Graeff	Lynn	Richter	Treat
Coons	Griffith	Mains	Rierdon	Ulmann
Costello	Halpin	Mansfield	Roberts	Vacheron
Coughtry	Hanford	Marson	Robinson	Van Name
Daly	Harris	McInerney	Rogers	Waite
Darrison	Hasenflug	McKeown	Ross	Walrath
Davis	Hatch	McMillan	Ruehl	Weber
Delaney	Hawkins	McQuade	Salyerds	Weekes
Dickey	Hitchcock	Morgan	Sanders	Wilson H

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

By unanimous consent, Mr. McQuade called up the Senate bill (No. 842) entitled "An act to amend chapter 18 of the Laws of 1862, entitled 'An act to revise the charter of the city of Utica' and the acts amendatory thereof and supplemental thereto, relative to the tax budget, etc." (Rec. No. 536), having been announced for a third reading.

Mr. McQuade moved that said bill be recommitted to the committee on affairs of cities, with instructions to report the same forthwith, amended as follows:

Page 21, line 15, after the word "hundred" insert the words "and since the year eighteen hundred and ninety."

Mr. Speaker put the question whether the House would agree to said motion of Mr. McQuade, and it was determined in the affirmative.

Mr. Kelsey, from the committee on affairs of cities, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

By unanimous consent, Mr. Seymour called up the bill (No. 1543) entitled "An act to amend the Real Property Law, relating to the descent of real property." (Int. No. 637.)

Mr. Seymour moved to take from the table the motion to reconsider the vote by which said bill was lost.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Seymour, and it was determined in the affirmative.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 103 }
 } NOES 00 }

Those who voted in the affirmative, were

Adams	DeGraw	Hatch	Morgan	Sanders
Adler	Dempsey	Hawkins	O'Brien	Scanlon
Allds	Dickinson	Henry	O'Connell	Seymour
Allston	Dooling	Holsten	O'Malley	Sherer
Apgar	Duross	Hyman	Orr	Smith J E
Babcock	Egan	Juengst	Phillips	Smith J L
Baker	Everett	Kaiser	Plank	Smith J T
Baum	Fancher	Keenan	Platt	Smith W H
Bell	Fisher	Kelly	Price	Snyder
Blackwell	Fitzgerald	Kelsey	Rainey	Sullivan
Bradley	Fordyce	Knipp	Reilley	Swarts
Brooks	Fowler	Leggett	Remsen	Thorn
Bruckner	Frisbie	Lewis M E	Richter	Traub
Burnett	Galbraith	Lynn	Rider	Treat
Cadin	Gardiner R	Mains	Rierdon	Vacheron
Conger	Graeff	Marson	Roberts	Van Name
Cooley	Griffith	Mathews	Rodenbeck	Waite
Coons	Hallock	McInerney	Rogers	Weber
Cotton	Hammond	McKeown	Ross	Weekes
Coughtry	Harburger	McQuade	Ruehl	Wilson H
Darrison	Harris	Meister		

Said bill having been announced for a third reading,

On motion of Mr. Seymour, and by unanimous consent, said bill was ordered placed on the third reading calendar for Thursday next.

The Senate returned the bill (No. 1768, Senate reprint No. 1296) entitled "An act to amend chapter 36 of the general laws,

known as the Stock Corporation Law " (Int. No. 15), with a message that they have concurred in the passage of the same, with the following amendments:

Page 1, strike out all of section 1 and in lieu thereof insert as follows:

"Section 1. The several parts and sections of chapter thirty-six of the general laws, known as the stock corporation law, corresponding to those hereinafter specified, are amended so as to read as follows:"

Page 3, strike out all of lines 4 and 5.

Page 23, line 11, after the word "any" strike out the word "pending", and after the word "proceeding" strike out the period and add the following: "pending in any court at the time it takes effect or any right of any creditor of any corporation or of any stockholder against any director under existing law, providing action thereon be commenced within six months after this act takes effect, except as in this act otherwise provided."

Mr. Fish moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 103 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Davis	Hawkins	McQuade	Ruehl
Adler	Delaney	Henry	Meister	Sanders
Allds	Dickey	Holsten	Nye	Schneider
Allston	Dooling	Honeck	O'Brien	Seymour
Axtell	Doughty	Irwin	O'Connell	Smith A R
Babcock	Dusinbery	Juengst	O'Malley	Smith J L
Baum	Ellis	Kaiser	Orr	Smith J T
Bedell	Fancher	Keenan	Patton	Smith W H
Bennet	Fish	Kelly	Phipps	Snyder
Blackwell	Fitzgerald	Kelsey	Platt	Sullivan
Brill	Fitzpatrick	Knipp	Poth	Swarts
Brooks	Fowler	Landon	Prince	Swift
Bryan	Galbraith	Lewis M E	Reilly	Thorn

Burns	Gardiner R	Lewis T D	Remsen	Treat
Cadin	Geoghan	Lynn	Reynolds	Ulmann
Conger	Griffith	Mains	Richter	Van Name
Cooley	Hallock	Mansfield	Rider	Waite
Coons	Hammond	Mathews	Roberts	Weber
Cotton	Hanford	McInerney	Rodenbeck	Weekes
Coughtry	Harris	McKeown	Rogers	Wilson H
Darrison	Hasenflug	McMillan		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the following entitled bills, with a message that they have concurred in the passage of the same:

“An act making an appropriation for the State Custodial Asylum for Feeble-Minded Women at Newark.” (No. 1823, Int. No. 1145.)

“An act to amend the Poor Law, relative to poor persons owning real or personal property.” (No. 1489, Int. No. 947.)

“An act to amend, revise and consolidate chapter 812 of the Laws of 1896, entitled ‘An act to revise, amend and consolidate the several acts relating to the area or territory known as Sylvan Beach, in the town of Vienna, county of Oneida, and to repeal certain acts and parts of acts.’” (No. 2126, Int. No. 1215.)

“An act to provide for the construction of fire escapes on, additions to, and the heating of the buildings of the Central New York Institution for Deaf Mutes, at Rome, and making an appropriation therefor.” (No. 2044, Int. No. 1226.)

“An act to amend the Town Law, relative to the election of town officers.” (No. 2249, Int. No. 1539.)

“An act to amend chapter 772 of the Laws of 1896, relative to the salary of chief clerk of the district attorney of Kings county.” (No. 422, Int. No. 126.)

“An act authorizing the village of Geneseo, county of Livingston, to issue bonds for the erection of a village hall and the purchase of a site therefor.” (No. 2060, Int. No. 1455.)

“An act to authorize the village of Seneca Falls to issue bonds for the purpose of acquiring title to and constructing approaches

for the Rumsey street bridge, and to pay the balance due on the Crane addition to Restvale cemetery." (No. 2157, Int. No. 1511.)

"An act to provide for the construction of an addition to the Northern New York Institution for Deaf-Mutes at Malone, and making an appropriation therefor." (No. 1615, Int. No. 906.)

"An act providing for the construction of a steel bridge over the Otsquago creek on State lands adjacent to the Erie canal aqueduct No. 11, in the town of Minden, Montgomery county, and the necessary repairs to the existing abutments and approaches thereto, and making an appropriation therefor." (No. 1410, Int. No. 413.)

"An act to amend the Town Law, relative to the care of abandoned cemeteries." (No. 2041, Int. No. 1118.)

"An act to amend section 3 of chapter 348 of the Laws of 1900, entitled 'An act to provide for the organization, management and control of the Eastern New York Reformatory, and making an appropriation therefor,' relative to the transfer of prisoners." (No. 1740, Int. No. 1141.)

"An act to amend the Penal Code and the Code of Criminal Procedure, in relation to the use of sidewalks." (No. 2069, Int. No. 553.)

"An act to amend chapter 677 of the Laws of 1894, entitled 'An act authorizing William S. Tuttle to raise and remove certain sunken vessels or boats from near the upper end of Lake George, N. Y.,' by extending the time therefor." (No. 1717, Int. No. 1021.)

"An act making an appropriation to continue the promotion of sugar beet culture in accordance with the provisions of chapter 500 of the Laws of 1897." (No. 1800, Int. No. 281.)

"An act making an appropriation for Craig Colony for Epileptics." (No. 1745, Int. No. 866.)

"An act making an appropriation for the New York State School for the Blind." (No. 1617, Int. No. 1062.)

"An act authorizing the construction of a steel bridge and abutments and approaches thereto over the canal slip from the

Erie canal to the Niagara river on North Niagara street, in the village of Tonawanda, Erie county, N. Y., together with the adjacent canal retaining walls and making an appropriation therefor." (No. 26, Int. No. 26.)

"An act to amend the Election Law, relative to the consolidation of registration and enrollment books." (No. 1544, Int. No. 818.)

"An act to amend section 10 of chapter 338 of the Laws of 1888, entitled 'An act to supply the village of Watkins with pure and wholesome water and to provide for the construction and maintenance of a system of sewers in said village,' relative to the amount of money to be borrowed to carry out the provisions of said act." (No. 2071, Int. No. 181.)

"An act to release to Franciska Stierle (formerly Franciska Braun) all the right, title and interest of the people of the State of New York in and to certain real estate in the borough of the Bronx, in the county of New York, acquired by escheat or otherwise upon the death of Conrad Braun, deceased." (No. 208, Int. No. 208.)

"An act to amend the Penal Code, in relation to the sale or delivery of uncooked flesh foods on Sunday." (No. 1801, Int. No. 421.)

"An act to amend the Membership Corporations Law, relating to family cemetery corporations." (No. 1730, Int. No. 1291.)

"An act to amend chapter 227 of the Laws of 1877, entitled 'An act establishing a ferry from Barber's Point, in the town of Westport, in the county of Essex, across Lake Champlain,' by authorizing the further maintenance thereof." (No. 2015, Int. No. 1443.)

"An act to provide for sewer systems outside incorporated villages or cities." (No. 2067, Senate reprint No. 1293, Int. No. 1367.)

"An act to amend the General Municipal Law, relating to ordinances of municipal corporations, relative to hawking and peddling farm produce." (No. 1486, Senate reprint No. 1300, Int. No. 297.)

"An act to amend the Domestic Relations Law, in relation to marriages." (No. 781, Senate reprint No. 1151, Int. No. 30.)

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the bill (No. 934, Senate reprint No. 1328) entitled "An act for the relief of certain villages " (Int. No. 805), with a message that they have concurred in the passage of the same, with the following amendments:

Strike out all after the enacting clause and insert the following:

"Section 1. Wherever highways have been heretofore improved under the provisions of chapter one hundred and fifteen of the laws of eighteen hundred and ninety-eight, entitled "An act to provide for the improvement of highways," the state engineer and surveyor is hereby authorized, as provided in said chapter one hundred and fifteen of the laws of eighteen hundred and ninety-eight, to connect such highways pursuant to said chapter one hundred and fifteen of the laws of eighteen hundred and ninety-eight, providing such connecting highway is less than one and one-half miles in length and is wholly or partly within a village, the report of the incorporation of which was filed in the office of the secretary of state after the time when the petition for the construction of the highways sought to be connected was presented to the board of supervisors, as provided in said chapter one hundred and fifteen of the laws of eighteen hundred and ninety-eight, notwithstanding the incorporation of such village.

"§ 2. This act shall take effect immediately."

Mr. Cook moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendment, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 130 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	DeGraw	Hasenflug	McMillan	Rodenbeck
Adler	Delaney	Hatch	McQuade	Ross
Ahern	Dickey	Henry	Meister	Ruehl
Allston	Dickinson	Hitchcock	Morgan	Sanders

Apgar	Doughty	Honeck	O'Brien	Schneider
Axtell	Duross	Hyman	O'Connell	Seymour
Babcock	Egan	Juengst	O'Malley	Smith A R
Baum	Everett	Kaiser	Orr	Smith J L
Bell	Fish	Keenan	Patton	Smith J T
Bennet	Fisher	Kelly	Phillips	Smith W H
Bradley	Fitzgerald	Kelsey	Phipps	Stevens
Brill	Fitzpatrick	Knipp	Platt	Swarts
Bruckner	Fowler	Landon	Poth	Swift
Bryan	Frisbie	Leggett	Price	Thorn
Burns	Galbraith	Lewis M E	Prince	Baker
Cadin	Gardner C J	Lewis T D	Rainey	Vacheron
Cook	Graeff	Mains	Remsen	Waite
Coons	Griffith	Mansfield	Reynolds	Weber
Costello	Halpin	Marson	Richter	Weekes
Daly	Hanford	Mathews	Rider	Wilson H
Davis	Harburger	McKeown	Roberts	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the bill (No. 536) entitled "An act to provide for the extraordinary repair and improvement of existing mechanical and other structures and works on and connected with the canals of this State" (Int. No. 500, Senate reprint No. 1291), with a message that they have concurred in the passage of the same with the following amendments:

Page 1, line 1, after the word "and" strike out the word "fifty" and insert the word "twenty-five."

Page 2, line 1, after the word "and" strike out the word "fifty" and insert the word "twenty-five."

Mr. T. D. Lewis moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 107 }
 { NOES 00 }

Those who voted in the affirmative, were

Adams	Cotton	Hammond	McMillan	Ruehl
Adler	Coughtry	Harburger	McQuade	Sanders
Ahern	Daly	Harris	Meister	Scanlon
Allds	Davis	Hasenflug	Morgan	Seymour
Allston	DeGraw	Hawkins	Nye	Sherer
Apgar	Delaney	Henry	O'Connell	Smith A R
Axtell	Dickey	Holsten	O'Malley	Smith J L
Babcock	Dooling	Honeck	Orr	Smith J T
Baker	Doughty	Irwin	Patton	Smith W H
Bedell	Dusinbery	Juengst	Phillips	Snyder
Bell	Egan	Keenan	Plank	Sullivan
Bennet	Ellis	Kelly	Platt	Swarts
Blackwell	Fancher	Knipp	Price	Thorn
Brill	Fish	Landon	Rainey	Traub
Bruckner	Fisher	Lewis M E	Reilley	Ulmann
Bryan	Fitzpatrick	Lynn	Reynolds	Vacheron
Burns	Fowler	Mains	Rider	Waite
Cadin	Galbraith	Mansfield	Rierdon	Walrath
Conger	Gardiner R	Marson	Robinson	Weber
Cook	Geoghan	Mathews	Rodenbeck	Weekes
Coons	Graeff	McKeown	Ross	Wilson H
Costello	Hallock			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the following entitled bills, with a message that they have concurred in the passage of the same without amendment:

"An act authorizing the board of estimate and apportionment of the city of New York to audit and allow the claim of John J. White of said city for services rendered as dockmaster of the department of docks of said city, and to provide for the payment of such claim." (No. 2154, Int. No. 1508.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

"An act to exempt from taxation certain property of the city of Buffalo situated in the town of West Seneca, Erie county, N. Y." (No. 1809, Int. No. 674.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Buffalo.

“An act to amend chapter 614 of the Laws of 1887, entitled ‘An act to establish a police pension fund for the city of Rochester,’ relative to computing the term of service of members of the police force.” (No. 1862, Int. No. 1259.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Rochester.

“An act to produce equality of taxation in the borough of Queens and city of New York in respect to the taxes in said borough for the years 1898 and 1899.” (No. 1051, Int. No. 899.)

“An act to authorize and empower the city of New York to establish and maintain a free public library system.” (No. 2106, Int. No. 1482.)

“An act authorizing the board of estimate and apportionment of the city of New York to audit and allow, and also authorizing and directing the comptroller of the said city to pay, the claims of William Grady, Patrick Mannix, John Bender and George E. Glendenning against the city of New York for salary alleged to be justly due them as sealers of weights and measures from the second day of May, 1895, to the first day of January, 1898.” (No. 1861, Int. No. 1202.)

Ordered, That the Clerk transmit certified copies thereof to the mayor of the city of New York.

The Senate returned the bill (No. 116) entitled “An act to amend chapter 337 of the Laws of 1893, relative to the appointment of trust companies as guardian, trustee or administrator” (Int. No. 116, Senate reprint No. 1196), with a message that they have concurred in the passage of the same with the following amendments:

Page 3, line 1, after the word “appointment” strike out the period and insert a semicolon and the words “or such trust company may be joined with any person so acting or entitled to such appointment; but such appointments shall be made upon such notice, as is required by law, to the persons interested in the estate or fund and on the consent of such of the principal legatees or other persons interested in the estate or fund as the court,

surrogate or judge making the appointment shall deem proper. No appointment hereunder shall be deemed to increase the number of persons entitled to full compensation beyond the number so entitled under the terms of the will or deed creating a trust or appointing a guardian or authorized by law."

Same page, line 7, after the word "over" strike out the words "one hundred" and insert the words "sixty-five."

Mr. Apgar moved to concur in the Senate amendments:

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof and three-fifths being present.

{ AYES 103 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Darrison	Harburger	McInerney	Rogers
Adler	Davis	Harris	McKeown	Ross
Ahern	DeGraw	Hatch	McMillan	Sanders
Allston	Dempsey	Hawkins	Meister	Scanlon
Apgar	Dickinson	Henry	Morgan	Seymour
Axtell	Dooling	Holsten	Nye	Smith A R
Baker	Duross	Honeck	O'Connell	Smith J E
Baum	Dusinbery	Irwin	O'Malley	Smith S W
Bedell	Egan	Juengst	Orr	Smith W H
Bennet	Everett	Kaiser	Phillips	Stevens
Bradley	Fish	Keenan	Phipps	Sullivan
Brill	Fisher	Kelly	Platt	Swift
Bruckner	Fitzpatrick	Kelsey	Poth	Traub
Bryan	Fowler	Knipp	Prince	Treat
Burnett	Galbraith	Landon	Reilley	Vacheron
Cadin	Gardner C J	Leggett	Ramsen	Van Name
Conger	Geoghan	Lewis M E	Richter	Waite
Cooley	Graeff	Lewis T D	Rider	Walrath
Costello	Griffith	Lynn	Roberts	Weekes
Cotton	Halpin	Mains	Robinson	Wilson H
Coughtry	Hanford	Marson		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the bill (No. 2300) entitled "An act to provide for the construction in Forest park, Queens county, boroughs of Queens, New York, of a new reservoir, dams and mains, with the appurtenances thereto, for the purpose of storing and supplying water for use in the borough of Brooklyn in the city of New York" (Int. No. 610, Senate reprint No. 935), with a message that they have reconsidered their vote by which said bill passed, and as amended have again passed the same.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

The Senate returned the following entitled bill:

"An act to provide for the immediate sewerage and drainage of the Twenty-ninth and Thirty-second wards of the borough of Brooklyn of the city of New York, and to regulate the payment of assessments for the construction thereof." (No. 1143, Int. No. 950, Senate reprint No. 1290.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

The Senate returned the following entitled bills with a message that they have concurred in the amendments of the Assembly made thereto.

"An act to provide office and library facilities at the New York Agricultural Experiment Station, and making an appropriation therefor." (No. 309, Int. No. 288, Assembly reprint No. 2286.)

"An act to amend the provisions of title 5 of the Penal Code, relating to crimes against the elective franchise." (No. 869, Int. No. 117, Assembly reprint No. 2330.)

Ordered, That the Clerk return said bills to the Senate.

The Senate returned the bill (No. 1196) entitled "An act to amend chapter 361 of the Laws of 1899, entitled 'An act to amend chapter 26 of the Laws of 1885, entitled An act to revise, amend and consolidate the several acts in relation to the city of Syracuse and to revise and amend the charter of said city' and the several acts amendatory thereof and supplemental thereto in relation to the boundaries of said city, relative to the apportionment of debts of territory annexed to said city" (Int. No.

981), with a message that said bill was again duly passed, a majority of all the members elected to the Senate voting in favor thereof, and three-fifths being present, the President stating the question to be: "Shall this bill pass notwithstanding the objection of the mayor thereto?"

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the bill (No. 766) entitled "An act to amend the Tax Law, relative to filing of tax roll" (Int. No. 610, Assembly reprint No. 2331), with a message that they have concurred in the amendments of the Assembly made thereto.

Ordered, That the Clerk return said bill to the Senate.

The Senate returned the Senate bill (No. 993, Assembly reprint No. 2175) entitled "An act to provide for the publication of the Forest, Fish and Game Law as amended" (Rec. No. 234), with a message that they have nonconcurred in the amendments of the Assembly made thereto and request the appointment of a committee of conference thereon and have appointed as such committee on the part of the Senate Messrs. Higgins, Brown and Foley.

Mr. Axtel moved that the Assembly assent to the request of the Senate for a committee of conference.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker appointed as such committee of conference on the part of the Assembly Messrs. Axtell, Hallock and Mathews.

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have assented to the request for a committee of conference thereon and have appointed such committee.

The Senate returned the following entitled bills with a message that they have concurred in the amendments of the Assembly made thereto.

"An act to amend chapter 218 of the Laws of 1884, entitled 'An act to regulate the commitment and discharge of certain prisoners, tramps and vagrants in Albany county, and to prescribe the effect thereof, to provide for the support of the

prisoners in the jail in the city of Albany and to fix the duties and compensation of the sheriff of said county and of certain employes in the jail in said city,' and the acts amendatory thereof, in respect to the salaries of sheriff and undersheriff." (No. 889, Assembly reprint No. 2212, Rec. No. 281.)

"An act in relation to the jurisdiction of the department of parks in the city of New York over certain streets and avenues in said city, and particularly Manhattan avenue, One Hundred and Tenth street and One Hundred and Thirteenth street, Morningside avenue, One Hundred and Twenty-third street, St. Nicholas avenue, St. Nicholas place and One Hundred and Fifty-fifth street in said city for certain purposes." (No. 584, Assembly reprint No. 2209, Rec. No. 89.)

Ordered, That the Clerk return said bills to the Senate.

The Senate returned the Senate bill (No. 336) entitled "An act to amend chapter 385 of the Laws of 1862, entitled 'An act to amend and consolidate the several acts relative to the city of Schenectady,' and the several acts amendatory thereof, relative to wards, officers, terms of office and elections" (Rec. No. 65), with a message that said bill was duly passed by the Senate and Assembly, and was transmitted to the mayor of the city of Schenectady, for a public hearing in said city, as provided by law, and was returned by said mayor with a message that said bill, after a public hearing thereon, had not been accepted by the city nor by the mayor. Said bill was thereafter and on this day again duly passed, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, the President stating the question to be: "Shall this bill pass notwithstanding the objection of the mayor and the legislative body of the city of Schenectady thereto?"

Mr. Speaker stated the question to be "Shall the bill pass notwithstanding the objections of the mayor and common council, the legislative body of said city of Schenectady thereto?" and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, said bill having been

printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

{ AYES 104 }
{ NOES 44 }

Those who voted in the affirmative, were

Adams	Coons	Griffith	Nye	Seymour
Adler	Costello	Hallock	O'Brien	Sherer
Ahern	Cotton	Hammond	O'Malley	Smith A R
Allds	Coughtry	Hanford	Orr	Smith J L
Allston	Darrison	Harris	Patton	Smith J T
Apgar	Davis	Hatch	Phillips	Smith S W
Axtell	DeGraw	Henry	Phipps	Smith W H
Babcock	Dickinson	Hitchcock	Plank	Snyder
Baker	Doughty	Irwin	Platt	Stevens
Bedell	Dusinbery	Kelsey	Price	Swarts
Bell	Ellis	Knipp	Rainey	Swift
Bennet	Everett	Landon	Remsen	Thorn
Blackwell	Fancher	Leggett	Keynolds	Traub
Brill	Fish	Lewis M E	Roberts	Treat
Brooks	Fisher	Lewis T D	Robinson	Vacheron
Bryan	Fordyce	Mains	Rodenbeck	Waite
Burnett	Fowler	Mansfield	Rogers	Walrath
Cadin	Galbraith	Marson	Ross	Weber
Conger	Gardiner R	McMillan	Ruehl	Weekes
Cook	Gardner C J	McQuade	Salyerds	Wilson H
Cooley	Graeff	Morgan	Schneider	

Those who voted in the negative, were

Baum	Duross	Hawkins	Mathews	Rider
Bradley	Egan	Holsten	McInerney	Rierdon
Bruckner	Fitzgerald	Honeck	McKeown	Sanders
Burns	Fitzpatrick	Hyman	Meister	Scanlon
Daly	Frisbie	Juengst	O'Connell	Smith J E
Delaney	Geoghan	Kaiser	Poth	Sullivan
Dempsey	Halpin	Keenan	Prince	Ulmann
Dickey	Harburger	Kelly	Reilley	Van Name
Dooling	Hasenflug	Lynn	Richter	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

A communication was received from Hon. Robert A. Van

Wyck, mayor of the city of New York, returning Assembly bill No. 1657, entitled "An act to amend the Greater New York charter, in reference to the police department granting licenses" (Int. No. 641), with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Conrad Diehl, mayor of the city of Buffalo, returning Assembly bill No. 1776, entitled "An act to amend chapter 105 of the Laws of 1891, entitled 'An act to revise the charter of the city of Buffalo,' in relation to police pensions" (Int. No. 1097), with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Conrad Diehl, mayor of the city of Buffalo, returning Assembly bill No. 1089, entitled "An act to amend chapter 105 of the Laws of 1891, entitled 'An act to revise the charter of the city of Buffalo,' in relation to taxes and tax sales" (Int. No. 920), with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

Mr. Allds offered for the consideration of the House a resolution, in the words following:

Resolved, That the bill No. 2354, entitled "An act to amend the Legislative Law, relative to officers and employes of the Senate and Assembly and their compensation" (Int. No. 1556), be recommitted to the committee on ways and means.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Weeker gave notice that on April 11, he would call up the bill (No. 2000) entitled "An act relative to the powers and liabilities of the Farmer's Loan and Trust Company and the qualifications of its directors" (Int. No. 1426), the same having been laid aside on the order of second reading.

The Senate sent for concurrence a resolution in the words following:

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return of Senate bill No. 1116, entitled "An act to amend the Forest, Fish and Game Law, relative to powers of game protectors" (Rec. No. 274), for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Allds offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That the Legislature adjourn without date on Tuesday, April 23, 1901, at 12 o'clock noon.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. S. W. Smith offered for the consideration of the House a resolution, in the words following:

Resolved, That 800 extra copies of the report of the House of Refuge for Women at Hudson be printed on calendar paper for the use of the institution.

Ordered, That said resolution be referred to the committee on public printing.

On motion of Mr. Allds, the House adjourned.

THURSDAY, April 11, 1901.

The House met pursuant to adjournment.

Prayer by Rev. George N. Karner.

On motion of Mr. Weekes, the reading of the journal of yesterday was dispensed with and the same was approved.

The Senate sent for concurrence the following entitled bills:

"An act for the incorporation of Der Bayerische National-Verband von Nord-Amerika" (No. 1380, Rec. No. 400), which was read the first time.

On motion of Mr. Bennett, and by unanimous consent, said bill was read the second time and ordered to a third reading.

On motion of Mr. Bennett, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 103 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Dempsey	Hatch	McQuade	Scanlon
Adler	Dickey	Henry	Meister	Seymour
Ahern	Dooling	Holsten	Nye	Sherer
Allds	Duross	Honeck	O'Brien	Smith J E
Apgar	Egan	Hyman	O'Malley	Smith J L
Axtell	Ellis	Juengst	Orr	Smith S W
Baker	Everett	Kaiser	Phillips	Smith W H
Bedell	Fish	Keenan	Phipps	Snyder
Bell	Fisher	Kelly	Platt	Sullivan
Bennet	Fitzpatrick	Kelsey	Price	Swarts
Bradley	Fowler	Knipp	Rainey	Thorn
Brill	Frisbie	Landon	Reilley	Traub
Bruckner	Galbraith	Lewis M E	Reynolds	Treat
Burnett	Gardner C J	Lewis T D	Richter	Ulmann
Burns	Geoghan	Lynn	Rierdon	Vacheron
Conger	Griffith	Mains	Roberts	Van Name

Cooley	Hallock	Mansfield	Rodenbeck	Waite
Coons	Halpin	Marson	Ross	Weber
Coughtry	Hammond	McInerney	Ruehl	Weekes
DeGraw	Harburger	McKeown	Salyerds	Wilson H
DeGraw	Harris	McMillan		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

“An act to amend chapter 220 of the Laws of 1866, entitled ‘An act to amend the charter of the village of Saratoga Springs and the several acts amendatory thereof’ (No. 1163, Rec. No. 401), which was read the first time and referred to the committee on affairs of villages.

“An act to authorize the construction of a bridge over the Erie canal, in the city of Rochester” (No. 1378, Rec. No. 402), which was read the first time and referred to the committee on ways and means.

“An act to amend section 2632 of the Code of Civil Procedure, in relation to the record of certain wills” (No. 2138, Rec. No. 403), which was read the first time and referred to the committee on codes.

“An act to amend the Agricultural Law, entitled ‘An act in relation to agriculture, constituting articles 1, 2, 3, 4 and 5 of chapter 33 of the general laws,’ as amended by chapter 113 of the Laws of 1898, to prevent fraud in the sale of paris green” (No. 1385, Rec. No. 404), which was read the first time and referred to the committee on agriculture.

“An act authorizing the Niskayuna Power Company to construct and maintain a dam across the Mohawk river between the towns of Clifton Park and Niskayuna” (No. 1194, Rec. No. 405), which was read the first time and referred to the committee on electricity, gas and water supply.

“An act to amend the Labor Law, relative to scaffolding, and the protection of persons employed on buildings in cities” (No. 1230, Rec. No. 406), which was read the first time and referred to the committee on labor and industries.

“An act to amend the State Finance Law, relating to the deposit of State moneys” (No. 1393, Rec. No. 407), which was read the first time and referred to the committee on ways and means.

"An act to provide for rebinding, recopying and transcribing certain books and records in the office of the clerk of the county of Queens " (No. 761, Rec. No. 408), which was read the first time and referred to the committee on internal affairs.

"An act to provide for the erection of a suitable monument to the memory of the soldiers of the Thirty-fourth Regiment Volunteer Infantry of the State of New York, who were engaged in the battle of Antietam, and making an appropriation therefor " (No. 1377, Rec. No. 409), which was read the first time and referred to the committee on ways and means.

"An act to amend chapter 789 of the Laws of 1895, entitled 'An act to authorize the construction of a bridge over the East River between the cities of New York and Brooklyn,' in relation to the receipt of sealed bids and proposals in connection with such work " (No. 686, Rec. No. 410), which was read the first time and referred to the committee on affairs of cities.

"An act to enable any person or persons whose rights have been impaired by the action of any municipality in the State in derogation of its grant or covenant to bring an action " (No. 1316, Rec. No. 411), which was read the first time and referred to the committee on the judiciary.

"An act to amend chapter 214 of the Laws of 1888, entitled 'An act to revise the charter of the city of Binghamton,' relative to school buildings " (No. 1389, Rec. No. 412), which was read the first time and referred to the committee on affairs of cities.

"An act to amend the Legislative Law relative to extra copies of messages and reports " (No. 1382, Rec. No. 413), which was read the first time.

On motion of Mr. Allds, and by unanimous consent, said bill was read the second time and ordered to a third reading and referred to the committee on ways and means.

"An act to amend chapter 478 of the Laws of 1893, entitled 'An act to incorporate the city of Olean,' and the acts amendatory thereof " (No. 1381, Rec. No. 414), which was read the first time and referred to the committee on affairs of cities.

"An act regarding highways constructed under and pursuant to the authority of chapter 493 of the Laws of 1892 and to provide for the assessment of the cost thereof upon the lands bene-

fited thereby" (No. 1284, Rec. No. 415), which was read the first time and referred to the committee on general laws.

"An act to amend section 394 of the Penal Code" (No. 1144, Rec. No. 416), which was read the first time and referred to the committee on codes.

"An act to amend the Stock Corporations Law, in relation to the issue of debenture bond-stock" (No. 1359, Rec. No. 417), which was read the first time and referred to the committee on the judiciary.

"An act in relation to furnishing free text books to the pupils of the common schools of the city of Utica, at the expense of said city" (No. 459, Rec. No. 418), which was read the first time and referred to the committee on public education.

"An act to amend chapter 330 of the Laws of 1889, entitled 'An act requiring the county clerks of each of the counties of this State to keep a register of the moneys directed by the judgments, decrees and orders of the court to be deposited with the county treasurer of his county,' in relation to the duties of the county clerks of New York, Queens and Richmond counties in keeping a register of moneys deposited or ordered to be deposited with the city chamberlain" (No. 525, Rec. No. 419), which was read the first time and referred to the committee on general laws.

"An act in relation to real property, exempt by law from taxation, and providing for the preparation and publication of lists thereof annually" (No. 1379, Rec. No. 420), which was read the first time and referred to the committee on taxation and retrenchment.

Mr. Fish introduced a bill entitled "An act to further amend chapter 326 of the Laws of 1895, entitled 'An act to provide for the incorporation of associations for lending money on personal property, and to forbid certain loans of money, property or credit'" (Int. No. 1666), which was read the first time and referred to the committee on the judiciary.

By unanimous consent,

Mr. Bennet introduced a bill entitled "An act to prevent the shooting of live pigeons, fowl or other birds for amusement or as a test of skill in marksmanship" (Int. No. 1667), which was

read the first time and referred to the committee on fisheries and game.

By unanimous consent,

Mr. Keenan introduced a bill entitled "An act to amend chapter 173 of the Laws of 1901 entitled 'An act to amend the Tax Law in relation to the taxable transfers of property'" (Int. No. 1668), which was read the first time and referred to the committee on taxation and retrenchment.

By unanimous consent,

Mr. Harburger introduced a bill entitled "An act to incorporate the Federation of American Zionists" (Int. No. 1669), which was read the first time.

On motion of Mr. Harburger, and by unanimous consent, said bill was read the second time and ordered to a third reading and referred to the committee on the judiciary.

Mr. Allds, from the committee on ways and means, to which was referred the bill introduced by Mr. Allds, Int. No. 1564, entitled "An act to make an appropriation for the payment of the judgments of the Court of Claims, in claims other than those on account of the canals of this State" (No. 229), reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Allds, from the committee on ways and means, to which was referred the bill introduced by Mr. Allds, Int. No. 1565, entitled "An act to make an appropriation for the payment of the judgments of the Court of Claims, in claims arising on account of the canals of this State" (No. 2292), reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Allds, from the committee on ways and means, to which was referred the bill introduced by Mr. Cadin, Int. No. 1601, entitled "An act to provide for the construction of a new iron bridge over the Oswego canal at North Salina street in the city of Syracuse, and making an appropriation therefor" (No. 2372), reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Allds, from the committee on ways and means, to which was referred the bill introduced by Mr. Allds, Int. No. 1598, entitled "An act to amend section 2 of chapter 341 of the Laws of 1895, in relation to the literature fund to be distributed to academic schools" (No. 2369), retaining its place on the order of third reading, reported in favor of the passage of the same without amendment, which report was agreed to, and said bill ordered restored to its place on the order of third reading.

Mr. Allds, from the committee on ways and means, to which was recommitted the bill introduced by Mr. Allds, Int. No. 1556, entitled "An act to amend the Legislative Law, relative to officers and employes of the Senate and Assembly and their compensation" (No. 2354), retaining its place on the order of third reading, reported in favor of the passage of the same with the following amendments:

Page 2, line 18, after the word "clerk" insert the words "an executive clerk"; also, strike out brackets; also, strike out the word "six."

Page 6, line 5, after the word "clerk" insert the words "and to the executive clerk."

J. P. ALLDS,
Chairman.

Which report was agreed to, and said bill ordered reprinted and restored to its place on the order of third reading.

Mr. Allds, from the committee on ways and means, to which was referred the bill introduced by Mr. DeGraw, Int. No. 946, entitled "An act making an appropriation for the relief and maintenance of 'the United States Volunteer Life Saving Corps of the State of New York (inland waters)' " (No. 1139), reported in favor of the passage of the same, with the following amendments:

Page 1, line 1, change the word "ten" to "five."

Page 2, line 7, after the word "vouchers" strike out balance of line through the word "waters" in line 8.

Same page, line 11, after the word "thereto" insert the words "not exceeding the sum of twenty-five hundred dollars, all to be."

Same page, strike out lines 24, 25 and 26.

Page 3, strike out lines 1 to and including line 11.

Same page, line 12, change figure "4" to figure "3."

Same page, line 20, change figure "5" to figure "4."

J. P. ALLDS,
Chairman.

Which report was agreed to, and said bill ordered reprinted as amended, and placed on the order of second reading.

Mr. Allds, from the committee on ways and means, to which was referred the bill introduced by Mr. Bedell, Int. No. 1374, entitled "An act authorizing the superintendent of public works to improve the channel of the stream in the towns of Goshen and Wawayanda in Orange county, known as the Wallkill river, and making an appropriation therefor" (No. 1919), reported in favor of the passage of the same, with the following amendments:

Page 2, strike out lines 6, 7, 8 and 9.

Same page, line 10, change the figure "4" to figure "3."

Same page, line 20, change the figure "5" to figure "4."

J. P. ALLDS,
Chairman.

Which report was agreed to, and said bill ordered reprinted as amended, and placed on the order of second reading.

Mr. Allds, from the committee on ways and means, to which was referred the bill introduced by Mr. Fowler, Int. No. 1586, entitled "An act to amend chapter fifty-five of the Laws of 1901, entitled 'An act to provide for rebuilding and equipping the State Normal School at Fredonia, and making an appropriation therefor,' by authorizing the acquisition of additional land for the site of such schools" (No. 2357), reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Allds, from the committee on ways and means, to which was referred the bill introduced by Mr. Fish, Int. No. 1453, entitled "An act to provide for construction of a stone arch over the Canastota creek over the mouth of the State sewer emptying into said creek near the northerly side of Chappel street in the village of Canastota, and making an appropriation therefor" (No 2058), reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Allds, from the committee on ways and means, to which was referred the bill introduced by Mr. Platt, Int. No. 1003, entitled "An act to provide for dredging and deepening the channel of the Cohocton river and building a dyke alongside said river in the village of Painted Post, and making an appropriation therefor" (No. 1218), reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Allds, from the committee on ways and means, to which was referred the Senate bill introduced by Mr. Brown, Rec. No. 394, entitled "An act to appropriate money for the repair and improvement of the State armory at Watertown, N. Y." (No. 424), reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Allds, from the committee on ways and means, to which was referred the Senate bill introduced by Mr. Malby, Rec. No. 241, entitled "An act to provide for establishing the south boundary line and a portion of the southwest boundary line of the county of St. Lawrence and the south boundary line of the county of Franklin and making an appropriation therefor" (No. 985), reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Allds, from the committee on ways and means, to which was referred the Senate bill introduced by Mr. Hill, Rec. No. 391, entitled "An act to reappropriate money for the construction of a swing bridge over Black Rock harbor at Ferry street, in the city of Buffalo and to make an additional appropriation therefor" (No. 625), reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Allds, from the committee on ways and means, to which was referred the Senate bill introduced by Mr. Higgins, Rec. No. 345, entitled "An act to amend the University Law, in relation to the duplicate department" (No. 1248), reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Allds, from the committee on ways and means, to which was referred the Senate bill introduced by Mr. Ellsworth, Rec. No. 325, entitled "An act making an appropriation for the New York State Hospital for the Care of Crippled and Deformed Children" (No. 1224), reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Allds, from the committee on ways and means, to which was referred the bill introduced by Mr. Irwin, Int. No. 1471, entitled "An act empowering and directing the superintendent of public works to remove the obstruction, gravel, sand, etc., from the bed of Bond's creek south of Dunham's waste-weir to Fort Edward, and to remove obstructions, gravel, sand, etc., from Wood creek from Fort Ann to plank road leading west from Dunham's basin, Washington county, N. Y., where needed" (No. 2117), reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Allds, from the committee on ways and means, to which was referred the Senate bill introduced by Mr. Elsberg, Rec. No. 273, entitled "An act to provide for the representation of the State of New York at the South Carolina, Interstate and West Indian exposition at Charleston, S. C., and making an appropriation therefor" (No. 1115), reported in favor of the passage of the same, with the following amendments:

Page 1, line 1, change the word "three" to "seven."

Same page, line 4, after the word "Carolina" insert the words "beginning the first of December nineteen hundred and one and extending through the spring months of nineteen hundred and two."

J. P. ALLDS,
Chairman.

Which report was agreed to, and said bill ordered reprinted as amended, and placed on the order of second reading.

Mr. Allds, from the committee on ways and means, reported by bill entitled "An act making an appropriation for the settlement of the balance due upon the contract for legislative printing, which expired October first, eighteen hundred and ninety-nine"

(Int. No. 1665), which was read the first time, in the words following:

AN ACT making an appropriation for the settlement of the balance due upon the contract for legislative printing, which expired October first, eighteen hundred and ninety-nine.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. The sum of two hundred and six thousand, sixty-seven dollars and twenty cents, or so much thereof as may be necessary, is hereby appropriated out of any money in the treasury not otherwise appropriated, payable by the treasurer on the warrant of the comptroller for the payment of the balance which shall be found due upon the contract for legislative printing which expired October first, eighteen hundred and ninety-nine. Said payment to be made after due audit by the comptroller; and no portion of the sum herein appropriated shall be available until after the filing with the comptroller of a receipt in full, satisfactory to him, for any and all claims of every name and nature against the state of New York growing out of or arising under said contract, and a release from any claim for the payment of interest either upon the amount due upon the contract or on the certificates of indebtedness heretofore issued pursuant to statute.

§ 2. This act shall take effect immediately.

Which report was agreed to, and said bill ordered printed and placed on the order of second reading.

Mr. Fish, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Hill, Rec. No. 379, entitled "An act to amend chapter 59 of the Laws of 1882, entitled 'An act to incorporate the Buffalo Merchants' Exchange,' and the acts amendatory thereof and supplementary thereto" (No. 1258), reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Stewart, Rec. No. 399, entitled "An act to amend section 44 of the Membership Corporations Law regarding the holding of special meetings for the purpose of electing directors" (No. 425), reported in favor of the

passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Weekes, from the committee on codes, to which was referred the Senate bill introduced by Mr. Brackett, Rec. No. 118, entitled "An act to amend the Code of Civil Procedure with respect to the appointment of receivers and to add an additional section thereto, to be known as section 716-a" (No. 700), reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Weekes, from the committee on codes, to which was referred the Senate bill introduced by Mr. Malby, Rec. No. 316, entitled "An act to amend section 661 of the Code of Criminal Procedure in reference to the criminal insane confined in an asylum" (No. 1164), reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Weekes, from the committee on codes, to which was referred the bill introduced by Mr. Nye, Int. No. 1027, entitled "An act to amend the Penal Code, relative to the contamination of salt wells" (No. 1264), reported in favor of the passage of the same, with the following amendments:

Page 1, line 5, strike out the word "allows" and insert the word "causes."

Page 2, line 7, strike out the word "immediately" and insert the words "September first nineteen hundred and one."

Same page, lines 4 and 5, strike out the words "nor less than six months."

JOHN A. WEEKES, JR.
Chairman.

Which report was agreed to, and said bill ordered reprinted as amended, and placed on the order of second reading.

Mr. Weekes, from the committee on codes, to which was referred the bill introduced by Mr. Rodenbeck, Int. No. 636, entitled "An act to amend the Code of Civil Procedure relating to depositions" (No. 2217), reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Weekes, from the committee on codes, to which was referred the bill introduced by Mr. Rogers, Int. No. 1498, entitled "An act to amend the Code of Civil Procedure, in relation to the jurisdiction of justices' courts" (No. 2144), reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Weekes, from the committee on codes, to which was referred the bill introduced by Mr. Bennet, Int. No. 1625, entitled "An act to amend the Code of Civil Procedure relative to judgment creditors' actions" (No. 2427), retaining its place on the order of third reading, reported in favor of the passage of the same without amendment, which report was agreed to, and said bill ordered restored to its place on the order of third reading.

Mr. Weekes, from the committee on codes, to which was referred the bill introduced by Mr. Brooks, Int. No. 1461, entitled "An act to amend section 458 of the Penal Code, relating to crimes against the public peace" (No. 2416), reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Weekes, from the committee on codes, to which was referred the bill introduced by Mr. Bennet, Int. No. 1284, entitled "An act to amend the Code of Civil Procedure in relation to attorney's liens" (No. 1712), reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Weekes, from the committee on codes, to which was referred the bill introduced by Mr. S. W. Smith, Int. No. 1610, entitled "An act to amend section 1785 of the Code of Civil Procedure, in relation to actions to procure a judgment dissolving a corporation, created by or under the laws of the State, and forfeiting its corporate rights, privileges and franchises in certain cases" (No. 2399), reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Burnett, from the committee on general laws, to which was referred the Senate bill introduced by Mr. Mills, Rec. No. 282, entitled "An act to enable owners of property liable to be assessed for a local improvement to review and correct the fixing of the district of assessment therefor" (No. 1113), reported in

favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Burnett, from the committee on general laws, to which was referred the bill introduced by Mr. Burnett, Int. No. 1627, entitled "An act to amend section 16 of chapter 545 of the Laws of 1896, known as 'The Insanity Law' in reference to the Pathological institute" (No. 2429), reported in favor of the passage of the following substitute bill:

AN ACT to amend section sixteen of chapter five hundred and forty-five of the laws of one thousand eight hundred and ninety-six, known as 'The Insanity Law' in reference to the pathological institute.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Section sixteen of chapter five hundred and forty-five of the laws of eighteen hundred and ninety-six, known as "the insanity law" is hereby amended so as to read as follows:

§ 16. Director of the pathological institute; pathological institute and accommodations for patients.—The commission may [shall after special civil service examination therefor,] appoint a director of the pathological institute who shall perform, under the direction of the commission, such duties relating to pathological research as may be required for all of the state hospitals for the insane. His office and laboratory shall be in the city of New York. He shall receive an annual salary to be fixed by the commission, subject to the approval of the governor. The commission may provide accommodations in the city of New York for a limited number of alleged insane and insane persons for special treatment in connection with the pathological institute, and make proper provision and regulations for the reception, care and treatment of such patients. The commission is hereby authorized to expend from the moneys appropriated for buildings, repairs and improvements of the state hospitals, such sum or sums as may be necessary to provide such accommodations and the necessary cost of maintaining such alleged insane and insane persons shall be a charge on and paid out of the fund appropriated for the maintenance of the state hospitals.

§ 2. This act shall take effect immediately.

JEAN L. BURNETT,

Chairman.

Which report was agreed to, and said substitute bill ordered printed, and placed on the order of second reading.

Mr. Burnett, from the committee on general laws, to which was referred the bill introduced by Mr. M. E. Lewis, Int. No. 1588, entitled "An act to amend section 131 of article 6 of the Tax Law, being chapter 24 of the general laws, as amended by chapter 339 of the Laws of 1898" (No. 2359), reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Lewis, from the committee on canals, to which was referred the bill introduced by the committee on canals, Int. No. 1616, entitled "An act making provision for issuing bonds to the amount of not to exceed \$26,000,000 for the improvement and enlargement of the Erie canal, the Champlain canal and the Oswego canal, and providing for the submission of the same to the people, to be voted upon at the general election to be held in the year 1901" (No. 2406), reported in favor of the passage of the same, with the following amendments:

Page 2, line 2, after the word "canal" insert the words "the Oneida feeder."

Same page, line 10, after the word "canal" insert the words "the Oneida feeder."

Same page, line 13, after the word "canal" insert the words "The Oneida feeder."

Same page, line 15, after the word "canal" insert the words "The Oneida feeder."

Same page, line 19, after the word "canal" insert the words "the Oneida feeder."

Page 3, line 24, strike out the words "The legislature shall impose a tax" and insert the words "There is hereby imposed for each of the seventeen fiscal years next succeeding after the passage of this act, an annual tax."

Same page, line 26, after the word "taxation" insert the words "for the purpose hereinafter mentioned which taxes shall be assessed, levied and collected by the annual assessment and collection of taxes of each of such years, in the manner prescribed by law and shall be paid by the several county treasurers into the treasury of the state; and."

Page 4, line 11, after the word "canal" insert the words "the Oneida feeder."

Same page, line 14, after the word "locks" insert the words "and for the enlargement of the Oneida feeder from its junction

with the Erie canal southerly to Elm street in the city of Oneida to a depth sufficient to make it navigable for boats drawing eight feet of water and to a width at the bottom of the prism of at least forty feet."

Page 5, line 9, after the word "canal" insert the words "the Oneida feeder."

THOMAS D. LEWIS,
Chairman.

Mr. Burnett rose to a point of order.

Mr. Burnett—Is the motion now in order to approve the report of the canal committee?

Mr. Speaker—The motion is upon the order—upon the report or as to the report of the committee.

Mr. Burnett—I would like to inquire if the report is on the canal appropriation bill?

Mr. Speaker—The Chair understands that it is.

Mr. Burnett—I desire to raise the point of order that under section 222 of the Legislative Law the bill should be referred to the ways and means committee, as the canal committee has only jurisdiction as to the general proposition aside from the expenditure.

Mr. Speaker—The bill in its original form provides for no expenditure except upon approval by the people, consequently the expenditure could not be made by the Legislature in the form in which the bill was presented. The Chair is not familiar with the amendments which have been made; the Chair holds that the reference was proper when made by the Chair.

The point of order can be raised, of course, under the Legislative Law—the Chair holds, however, that upon this proposition, according to the provisions of the bill, it is not within the domain of the Legislature to make that appropriation. It requires the referendum, and consequently is impossible for the Legislature, under the provisions of this act, to make the appropriation until it has been ratified by the people. The Chair will hold the point of order not well taken.

Mr. Burnett moved that said bill, together with said report of the committee on canals, be committed to the committee on ways and means,

Debate was had thereon, when

Mr. Allds moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Burnett, and it was determined in the negative.

{ AYES 62 }
{ NOES 72 }

Those who voted in the affirmative, were

Allds	DeGraw	Harris	Orr	Smith A R
Allston	Dickey	Hatch	Phillips	Smith J L
Apgar	Dickinson	Henry	Phipps	Smith J T
Babcock	Dusinbery	Kaiser	Plank	Smith S W
Bedell	Ellis	Kelsey	Platt	Wilson W H
Bell	Everett	Knipp	Price	Stevens
Blackwell	Fancher	Landon	Rainey	Swift
Brill	Fisher	Leggett	Remsen	Thorn
Bryan	Fowler	Lewis M E	Roberts	Traub
Burnett	Gardner C J	Marson	Rodenbeck	Treat
Conger	Griffith	McMillan	Rogers	Vacheron
Cooley	Hallock	Nye	Sherer	Waite
Cotton	Hanford			

Those who voted in the negative, were

Adler	Delaney	Hasenflug	Mathews	Rider
Ahern	Dempsey	Hawkins	McInerney	Rierdon
Baum	Doughty	Hitchcock	McKeown	Ruehl
Bennet	Duross	Holsten	McQuade	Scanlon
Bradley	Egan	Honeck	Meister	Seymour
Bruckner	Fish	Hyman	Morgan	Smith J E
Burns	Fitzgerald	Irwin	O'Brien	Snyder
Cadin	Fitzpatrick	Juengst	O'Connell	Swarts
Cook	Galbraith	Keenan	O'Malley	Ulmann
Coons	Gardiner R	Kelly	Patton	Van Name
Costello	Geoghan	Lewis T D	Poth	Waite
Coughtry	Graeff	Lynn	Prince	Walrath
Daly	Halpin	Mains	Reilley	Weekes
Darrison	Hammond	Mansfield	Richter	Wilson H
Davis	Harburger			

Said report was then agreed to, and said bill ordered re-printed, as amended, and placed on the order of second reading.

Mr. Bedell, from the committee on railroads, to which was re-

ferred the bill introduced by Mr. Lynn, Int. No. 1575, entitled "An act to amend the Railroad Law, in relation to the acquisition of property by street surface railroad corporations" (No. 2321), reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Henry, from the committee on public health, to which was referred the bill introduced by Mr. Brill, Int. No. 1603, entitled "An act to amend the Public Health Law, relative to the practice of veterinary medicine and surgery" (No. 2391), retaining its place on the order of third reading, reported in favor of the passage of the same without amendment, which report was agreed to, and said bill ordered restored to its place on the order of third reading.

Mr. Griffith, from the committee on public education, to which was recommitted the bill introduced by Mr. Davis, Int. No. 1476, entitled "An act to amend the Consolidated School Law, in reference to compulsory education" (No. 2111), retaining its place on the order of second reading, reported in favor of the passage of the same with the following amendments:

Page 2, line 6, strike out bracket before the word "and," also strike out the word "twelve" and substitute therefor the word "fourteen."

Same page, line 7, strike out bracket before the word "age."

Page 5, line 4, after the word "prescribe" strike out the words "not exceeding the remainder of the school year."

Same page, line 20, after the word "four" strike out the words "the remainder of the current school year" and insert in place thereof the following: "For a period not exceeding two years; but in no case shall a child be so confined after he is sixteen years of age."

Same page, line 23, after the word "four" strike out the words "the balance of such school year" and insert in place thereof the following: "a period not exceeding two years; but in no case shall a child be so confined after he is sixteen years of age."

FREDERICK W. GRIFFITH,

Chairman.

Which report was agreed to, and said bill ordered reprinted and restored to its place on the order of second reading.

Mr. Patton, from the committee on charitable and religious societies, to which was referred the bill introduced by Mr. Ahern, Int. No. 1253, entitled "An act authorizing the commissioner of charities and correction of Albany county to hear, audit and determine the claim of the Catholic Male Orphan Asylum of Troy, N. Y., and to make an award thereon" (No. 1682), reported in favor of the passage of the following substitute bill:

AN ACT authorizing the superintendent of the county poor of Albany county to hear, audit and determine, the claim of the Catholic male orphan asylum of Troy, New York, and make an award thereon.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. The claim of the Catholic male orphan asylum of Troy, New York, against the superintendent of the county poor of Albany county for board, care and maintenance furnished either or both at the request of the overseer of the poor of Cohoes, Albany county, to one Alphonzo Roberts, an orphan is hereby legalized, ratified and confirmed, and the superintendent of the county poor of Albany county is hereby authorized to hear, audit and determine the same, and to make time of such hearing, and to award to said claimant such sum as equitably upon due proof thereon before said superintendent of the county poor will be a reasonable compensation therefor.

§ 2. This act shall take effect immediately.

JOHN K. PATTON,
Chairman.

Which report was agreed to, and said substitute bill ordered printed and placed on the order of second reading.

Mr. Bryan, from the committee on State prisons, to which was referred the bill introduced by Mr. Ahern, Int. No. 1628, entitled "An act relating to Mt. Magdalen School of Industry and Reformatory of the Good Shepherd in the city of Troy and commitments thereto" (No. 2430), retaining its place on the order of third reading, reported in favor of the passage of the same without amendment, which report was agreed to, and said bill restored to its place on the order of third reading.

Mr. Axtell, from the committee on fisheries and game, to which was referred the bill introduced by Mr. J. T. Smith, Int. No. 1500, entitled "An act to amend the Forest, Fish and Game

Laws, to prevent fishing in the waters of Whaley pond in Dutchess county from January 1st to May 31st" (No. 2146), reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Axtell, from the committee on fisheries and game, to which was referred the bill introduced by Mr. Babcock, Int. No. 724, entitled "An act to amend the Forest, Fish and Game Law, relative to close season and possession of deer" (No. 820), reported the same with the following amendments, and request that said bill be recommitted to said committee:

Page 1, line 8, after the word "August" strike out the word "fifteenth."

Same page, lines 8 and 9, strike out the brackets from the word "thirty-first."

Page 2, line 5, strike out the word "fifteenth", also strike out the brackets from the word "thirty-first."

DELOS AXTELL,
Chairman.

Which report was agreed to, and said bill ordered reprinted and recommitted to said committee.

Mr. Phipps, from the committee on agriculture, to which was referred the Senate bill introduced by Mr. Ambler, Rec. No. 372, entitled "An act to amend the Agricultural Law, relative to San Jose scale and transportation of nursery stock into this State" (No. 1332), retaining its place on the order of third reading, reported in favor of the passage of the same without amendment, which report was agreed to, and said bill restored to its place on the order of third reading.

Mr. Phipps, from the committee on agriculture, to which was referred the bill introduced by Mr. Henry, Int. No. 1549, entitled "An act to amend the Agricultural Law, relating to the sale and transportation of calves" (No. 2271), reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Hatch, from the committee on revision, to which was referred the following entitled bills, reported the same without recommendations:

"An act to incorporate the Inebriates Home for New York

City, and to provide funds for the maintenance thereof." (No. 2443, Int. No. 1636.)

"An act to amend chapter 214 of the Laws of 1888, entitled 'An act to revise the charter of the city of Binghamton,' relative to school buildings." (No. 2368, Int. No. 1597.)

"An act to legalize the official acts of William L. Riley as justice of the peace of the town of Chazy, county of Clinton." (No. 2280, Int. No. 1558.)

"An act to amend the Tax Law, in relation to redemption from tax sales." (No. 1787, Int. No. 1308.)

"An act to amend the proceedings incorporating the Long Island Baptist Association." (No. 2446, Int. No. 1639.)

Ordered, That said bills be engrossed for a third reading.

Mr. Hatch, from the committee on revision, to which was referred the bill (No. 2370) entitled "An act to amend an act entitled 'An act to incorporate the city of Johnstown,' being chapter 568 of the Laws of 1895, relative to opening, altering, extending and laying out streets" (Int. No. 1599), reported the same with the following recommendations:

Page 1, line 4, strike out the words "section four of."

Same page, line 5, strike out the words "entitled an."

Same page, strike out all of lines 6 and 7.

Page 2, line 1, strike out the words "porate the city of Johnstown."

Page 3, lines 21 and 22, strike out the words "entitled 'An act to incorporate the city of Johnstown.'"

Page 6, line 5, after the figures "81" insert in brackets as follows: "Opening, altering or extending streets.—Whenever the common council shall intend to lay out, alter, widen, extend, contract or discontinue any street, lane, alley, highway, or public grounds in said city, and the lands of any person or corporation, or any right or easement therein will be necessary for that purpose; and whenever the common council shall intend to acquire lands; rights or easements therein for any other purpose mentioned in this act, they shall cause the same to be surveyed and monuments placed showing the line thereof, and a map to be made of the same, which shall be filed in the city clerk's office, and a copy thereof be filed in the county clerk's office, showing upon such map the lots, tracts and parcels of land and rights or easements therein which are deemed necessary to be taken, and the commencement, course and termination of the street, lane, alley, highway or park proposed to be laid out, widened, ex-

tended or altered, or other work or improvement proposed to be made in or through the land so to be taken. And for that purpose the common council and those acting by their direction shall have power to enter upon any grounds in said city. The common council shall then declare, by resolution, their intention to take and appropriate the said property for the proposed improvement, and thereafter they may purchase the land or right or easement therein deemed necessary of the owner or owners thereof, and make him or them such compensation as they shall judge reasonable, upon receiving from such owner or owners a conveyance thereof to the city. In case the common council are unable to agree with the owner or owners, for the purchase of any real estate, or lands, or right, or easement therein required for the purpose aforesaid, they shall acquire the same by condemnation proceedings under the provisions of the condemnation law of this state, chapter twenty-three of the code of civil procedure."

Page 10, line 18, after the figures "82" insert in brackets as follows: "Assessment of benefits.—After such damages shall have been ascertained and determined said common council shall declare a district of assessment therefor, and shall then direct the commissioners making the award to assess the amount awarded for damages, with the commissioners' fees, specifying the aggregate amount of the same, upon the property within such district of assessment. The commissioners shall proceed to assess such amount upon the property benefited by such improvement in a just and equitable manner as near as may be in proportion to the benefits received; such assessment shall be made in the same manner as other local assessments, except that such commissioners shall direct such part of said expenses to be assessed upon the city, and such part locally, as they shall deem just; the powers and duties of the commissioners shall be the same as those of assessors. When the assessment-roll shall be filed, the assessment may be appealed from in the same manner, and the common council shall possess the same powers in reference thereto and proceed in the same manner as on appeals from other local assessments. When there are infants or other incompetent persons owners, whose property is affected by any such improvement, the county or supreme court, or a judge or justice thereof may, on application, in behalf of such infant or incompetent persons, appoint guardians ad litem to protect their interests and prosecute appeals."

Amend the title to read as follows: "An act to amend chapter five hundred sixty-eight of the laws of eighteen hundred and ninety-five, entitled 'An act to incorporate the city of Johns-

town,' relative to opening, altering, extending and laying out streets."

HYATT C. HATCH,
Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Hatch, from the committee on revision, to which was referred the bill (No. 2295) entitled "An act to amend chapter 52 of the Laws of 1893, entitled 'An act to make the office of county clerk of Columbia county a salaried office and regulating the management of said office,' in relation to assistants" (Int. No. 1568), reported the same with the following recommendations:

Page 1, line 2, after the word "ninety-three" insert the words "entitled 'An act to make the office of county clerk of Columbia county a salaried office and regulating the management of said office.'"

HYATT C. HATCH,
Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Hatch, from the committee on revision, to which was referred the bill (No. 2281) entitled "An act to amend chapter 337 of the Laws of 1893, entitled 'An act conferring additional powers upon the trust companies within the counties of this State containing upwards of 300 and less than 600,000 inhabitants,' as amended by chapter 73 of the Laws of 1898" (Int. No. 1559), reported the same with the following recommendations:

Amend the title to read as follows: "An act to amend chapter three hundred and thirty-seven of the laws of eighteen hundred and ninety-three, entitled 'An act conferring additional powers upon trust companies within the counties of this state containing upwards of three hundred thousand and less than six hundred thousand inhabitants,' relative to guaranteeing certain bonds."

HYATT C. HATCH,
Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Hatch, from the committee on revision, to which was referred the bill (No. 2356) entitled "An act authorizing villages of the fourth class containing a territory of less than one square mile to accept the dedication of private streets as parkways and providing for the maintenance thereof" (Int. No. 1585), reported the same with the following recommendations:

Amend the title to read as follows: "An act authorizing villages of the fourth class containing a territory of less than one square mile to acquire private streets as parkways and providing for the maintenance thereof."

HYATT C. HATCH,
Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Babcock, from the committee on printed and engrossed bills, reported as correctly printed the following entitled bills:

"An act to prevent adulteration of and deception in the sale of drugs, chemicals and other substances." (No. 1148, Int. No. 955.)

"An act to authorize the city of Amsterdam to borrow money and to issue the bonds of said city therefor for the purpose of buying land and constructing buildings thereon for fire department purposes and to perform other acts incident thereto." (No. 1578, Int. No. 1207.)

Senate, "An act to amend chapter 369 of the Laws of 1900, entitled 'An act to establish the New York State Hospital for the Care of Crippled and Deformed Children,' as amended by chapter 38 of the Laws of 1901, relative to estimates for hospital expenses." (No. 2314, Rec. No. 295.)

"An act to amend the Code of Civil Procedure, in relation to bringing in additional parties." (No. 2246, Int. No. 1536.)

"An act to repeal chapter 1014 of the Laws of 1895, relating to a tunnel under East river." (No. 238, Int. No. 238.)

"An act to amend the Insurance Law, relating to the valuation of policies of health insurance." (No. 1924, Int. No. 1379.)

Senate, "An act to classify and grade, and to establish rates of compensation for clerks and other employees in the service of the State." (No. 2313, Rec. No. 119.)

"An act to amend the Railroad Law, in relation to the construction of a road in street where other road is built." (No. 2407, Rec. No. 1234.)

"An act to amend chapter 53 of the laws of 1879, entitled 'An act to revise the charter of the city of Auburn,' in relation to the amount of money to be raised for police purposes and in relation to water used for city purposes." (No. 2431, Int. No. 975.)

"An act to amend the Insurance Law, relative to insurance against disablement resulting from sickness." (No. 1923, Int. No. 1378.)

The bill (No. 2353) entitled "An act to legalize the appropriation for the year 1901 of the sum of \$5,000 made by the board of estimate and apportionment of the city of New York in its discretion to make an annual appropriation for the benefit of the benevolent funds of the former volunteer fire departments of the former towns of New Lots, Flatbush, New Utrecht, Gravesend and Flatlands" (Int. No. 1545), having been announced for a third reading,

Mr. Remsen moved that said bill be recommitted to the committee on affairs of cities with instructions to report the same forthwith amended to read as follows:

AN ACT to appropriate annually the sum of \$5,000 to be made by the board of estimate and apportionment of the city of New York in its discretion for the benefit of the benevolent funds of the former volunteer fire departments of the former towns, Flatbush, New Utrecht, Gravesend and Flatlands.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. The board of estimate and apportionment of the city of New York created by section two hundred and twenty-six, title five, chapter six, of chapter three hundred and seventy-eight of the laws of eighteen hundred and ninety-seven are hereby authorized to empower the comptroller of said city in his discretion to pay over to the various treasurers of the volunteer fire department benevolent funds of the former towns of Flatbush, New Utrecht, Gravesend and Flatlands the sum of five thousand dollars annually.

§ 2. The said board of estimate and apportionment in its discretion may hereafter place in their annual budget for said city such sum or sums, and not to exceed the sum of five thousand

dollars, for the benefit funds of the former volunteer fire departments of the former towns of Flatbush, New Utrecht, Gravesend and Flatlands, as in the opinion of said board of estimate and apportionment may be necessary, and the treasurers of such benevolent funds shall be entitled to receive annually for the benefit of such funds the amount so appropriated, which amount so annually appropriated shall be divided between and paid over to the treasurers of the said benevolent funds of said former volunteer fire departments in the following proportions, to wit: To the treasurer of the benevolent fund of the former volunteer fire department of the former town of Flatbush twenty-five per centum thereof; to the treasurer of the benevolent fund of the former volunteer fire department of the former town of New Utrecht twenty-five per centum thereof; to the treasurer of the benevolent fund of the former volunteer fire department of the former town of Gravesend twenty-five per centum thereof, to the treasurer of the benevolent fund of the former volunteer fire department of the former town of Flatlands twenty-five per centum thereof.

§ 3. This act shall take effect immediately.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Kelsey, from the committee on affairs of cities, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The bill (No. 2303) entitled "An act to prevent the placing of fences on roofs for the display of advertisements other than for the business of lessee of building on which the fence is built, the same to be no higher than four feet; also of fences on ground in front of vacant lots, the same to be no higher than ten feet from ground to top of fence, in any portion of the city of New York known as the boroughs of Manhattan, Bronx and Brooklyn, and to have all fences now on roofs and on ground in violation of this act removed before August, 1901" (Int. No. 521), having been announced for a third reading,

Mr. Kelsey moved that said bill be recommitted to the committee on affairs of cities, retaining its place on the order of third reading.

Debate was had thereon, when

Mr. Allds moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Kelsey, and it was determined in the affirmative.

The bill (No. 2413) entitled "An act to amend the Forest, Fish and Game Law, in relation to quail in Cayuga, Wyoming, Niagara, Monroe, Saratoga, Cattaraugus, Chautauqua and Erie counties" (Int. No. 509), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 107 }
 { NOES 00 }

Those who voted in the affirmative, were

Adams	Davis	Hanford	McQuade	Schneider
Adler	DeGraw	Harris	Meister	Seymour
Ahern	Delaney	Hasenflug	Nye	Smith A R
Allston	Dickey	Hawkins	O'Brien	Smith J T
Apgar	Dickinson	Hitchcock	O'Malley	Smith J T
Axtell	Doughty	Honeck	Patton	Smith S W
Baker	Duross	Hyman	Phillips	Snyder
Baum	Dusinbery	Irwin	Plank	Stevens
Bell	Egan	Kaiser	Platt	Sullivan
Blackwell	Everett	Keenan	Price	Swarts
Bradley	Fancher	Kelly	Prince	Swift
Brill	Fish	Knipp	Rainey	Thorn
Bruckner	Fitzgerald	Landon	Remsen	Traub
Burnett	Fitzpatrick	Leggett	Reynolds	Ulmann
Burns	Fowler	Lewis M E	Rider	Vacheron
Conger	Frisbie	Lynn	Roberts	Van Name
Cooley	Galbraith	Mains	Rodenbeck	Waite
Coons	Gardner C J	Mansfield	Rogers	Walrath
Cotton	Geoghan	Mathews	Ross	Weber
Coughtry	Griffith	McInerney	Salyerds	Weekes
Davis	Hallock	McKeown	Sanders	Wilson H
Daly	Halpin			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 2289) entitled "An act to provide for the continuance of the bureau of elections in the city of New York" (Int. No. 1099), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 110 }
 { NOES 00 }

Those who voted in the affirmative, were

Adams	Coughtry	Hammond	McQuade	Sanders
Adler	Darrison	Hanford	Morgan	Scanlon
Ahern	Davis	Harris	Nye	Schneider
Allds	DeGraw	Hatch	O'Brien	Sherer
Apgar	Delaney	Hawkins	O'Connell	Smith A R
Axtell	Dempsey	Henry	Orr	Smith J E
Baker	Dickey	Holsten	Patton	Smith J L
Baum	Dooling	Hyman	Phillips	Smith J T
Bedell	Doughty	Irwin	Phipps	Smith S W
Bell	Dusinbery	Kaiser	Plank	Smith W H
Bennet	Egan	Keenan	Platt	Snyder
Blackwell	Ellis	Kelly	Poth	Sullivan
Brill	Everett	Knipp	Prince	Swarts
Brooks	Fish	Leggett	Rainey	Swift
Bruckner	Fitzgerald	Lewis M E	Reilley	Traub
Burnett	Fordyce	Lynn	Reynolds	Treat
Burns	Fowler	Mains	Richter	Ulmann
Cadin	Gardiner R	Mansfield	Rierdon	Vacheron
Cook	Gardner C J	Mathews	Roberts	Waite
Cooley	Graeff	McInerney	Rodenbeck	Weber
Coons	Griffith	McKeown	Rogers	Weekes
Costello	Halpin	McMillan	Ruehl	Wilson H

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 2412) entitled "An act to amend chapter 115 of the Laws of 1898, entitled 'An act to provide for the improvement of the public highways,' in relation to the amount of money to be expended by State engineer in any one year, in any one

county" (Int. No. 1194), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, and three-fifths being present.

{ AYES 15 }
 { NOES 31 }

Those who voted in the affirmative, were

Conger	Ellis	Gardner C J	Leggett	Nye
Cook	Fowler	Geoghan	McInerney	Patton
Darrison	Gardiner R	Irwin	McMillan	Sanders

Those who voted in the negative, were

Allds	Coons	Hanford	Landon	Rogers
Allston	Coughtry	Hatch	Lynn	Smith A R
Apgar	Davis	Hitchcock	Mansfield	Smith J T
Bedell	Dickey	Holsten	Morgan	Swift
Bell	Everett	Kelsey	O'Brien	Thorn
Bennet	Fish	Knipp	Price	Traub
Cooley				

Mr. Patton moved to reconsider the vote by which said bill was lost and that that motion be laid upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The bill (No. 2012) entitled "An act to provide for the pensioning of policemen who have served twenty years on the police force of the village and city of Jamestown" (Int. No. 1440), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 103 }
 } NOES 00 }

Those who voted in the affirmative, were

Adams	Darrison	Halpin	McKeown	Seymour
Adler	Davis	Hammond	McQuade	Smith A R
Ahern	Delaney	Harris	Morgan	Smith J E
Allds	Dempsey	Hasenflug	Nye	Smith J T
Allston	Dickey	Hawkins	O'Brien	Smith S W
Apgar	Dickinson	Henry	O'Malley	Smith W H
Babcock	Dooling	Hitchcock	Orr	Stevens
Baker	Duross	Honeck	Phillips	Sullivan
Bedell	Dusinbery	Hyman	Plank	Swift
Bell	Egan	Juengst	Poth	Thorn
Blackwell	Everett	Kaiser	Prince	Traub
Bradley	Fancher	Keenan	Reilley	Treat
Brooks	Fisher	Kelly	Reynolds	Ulmann
Bruckner	Fitzgerald	Knipp	Rider	Vacheron
Burnett	Fitzpatrick	Landon	Roberts	Van Name
Cadin	Fordyce	Lewis M E	Rodenbeck	Waite
Cook	Frisbie	Lewis T D	Rogers	Walrath
Cooley	Gardiner R	Mains	Ruehl	Weber
Costello	Gardner C J	Mansfield	Sanders	Weekes
Cotton	Graeff	Marson	Scanlon	Wilson H
Daly	Griffith	McInerney		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 2374) entitled "An act to amend section 91 of the Railroad Law in relation to certificates of extension" (Int. No. 572), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 82 }
 } NOES 23 }

Those who voted in the affirmative, were

Ahern	Coughtry	Hallock	Mansfield	Roberts
Allds	DeGraw	Hammond	Mathews	Rogers
Allston	Dickinson	Hanford	McInerney	Ross
Apgar	Doughty	Harris	McKeown	Ruehl

Babcock	Dusinbery	Hatch	McMillan	Seymour
Bedell	Egan	Henry	McQuade	Sherer
Bell	Ellis	Hitchcock	Morgan	Smith A R
Bennet	Everett	Irwin	Nye	Smith J E
Blackwell	Fancher	Keenan	O'Brien	Smith J T
Brill	Fish	Kelly	O'Malley	Smith S W
Burnett	Fisher	Kelsey	Plank	Stevens
Cadin	Fitzgerald	Knipp	Platt	Swift
Conger	Fowler	Landon	Price	Traub
Cooley	Galbraith	Leggett	Rainey	Vacheron
Coons	Gardiner R	Lewis M E	Reilley	Walrath
Costello	Gardner C J	Lynn	Remsen	Weekes
Cotton	Graeff			

Those who voted in the negative, were

Baum	Davis	Geoghan	Hyman	Patton
Bradley	Delaney	Harburger	Juengst	Prince
Bruckner	Dickey	Hasenflug	Kaiser	Smith W H
Cook	Duross	Holsten	Meister	Van Name
Daly	Fitzpatrick	Honeck		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 2342) entitled "An act to amend the Railroad Law, in relation to grade crossings" (Int. No. 977), having been announced for a third reading,

Mr. Van Name moved that said bill be recommitted to the committee on railroads, with instructions to report the same forthwith amended as follows:

Page 2, line 15, after the word "train" insert the words "In the absence of evidence to the contrary there shall be a presumption in law that the person did look and listen."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Bedell moved to strike out the enacting clause.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Bedell, and it was determined in the affirmative.

The bill (No. 2288) entitled "An act to amend the Tax Law, in relation to the return by the collector of unpaid taxes" (Int. No. 705), having been announced for a third reading,

On motion of Mr. Marson, said bill was laid aside, and ordered stricken from the calendar.

The bill (No. 2351) entitled "An act to authorize the town board of the town of Brownville to borrow money to levy a tax for the purpose of providing for the expenses of the town board of health of said town" (Int. No. 1505), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 101 }
 { NOES 00 }

Those who voted in the affirmative, were

Adams	DeGraw	Harris	McInerney	Ruehl
Adler	Delaney	Hasenflug	McKeown	Salyerds
Ahern	Dickey	Hatch	McMillan	Scanlon
Allston	Dickinson	Hawkins	Meister	Seymour
Apgar	Doughty	Henry	Morgan	Smith A R
Babcock	Duross	Hitchcock	O'Brien	Smith J T
Baum	Dusinbery	Honeck	O'Malley	Smith W H
Bell	Ellis	Hyman	Orr	Snyder
Bennet	Everett	Irwin	Phillips	Sullivan
Bradley	Fish	Kaiser	Phipps	Swarts
Brill	Fitzgerald	Keenan	Platt	Thorn
Brooks	Fordyce	Kelly	Poth	Traub
Bryan	Frisbie	Kelsey	Prince	Treat
Burnett	Gardiner R	Knipp	Rainey	Ulmann
Burns	Gardner C J	Leggett	Remsen	Vacheron
Conger	Graeff	Lewis M E	Richter	Van Name
Cooley	Griffith	Lewis T D	Rider	Walrath
Coons	Halpin	Mains	Roberts	Weber
Cotton	Hammond	Mansfield	Rodenbeck	Weekes
Coughtry	Harburger	Marson	Ross	Wilson H
Darrison				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 2408) entitled "An act to amend the Agricultural Law relative to San Jose scale and transportation of nursery stock offered therein" (Int. No. 1560), having been announced for a third reading,

On motion of Mr. Phipps, said bill was laid aside, and ordered stricken from the calendar.

The bill (No. 2411) entitled "An act relative to the examination of Edward C. Brennan for admission to practice as an attorney and counsellor-at-law" (Int. No. 1264), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 76 }
 { NOES 27 }

Those who voted in the affirmative, were

Adler	Dickinson	Hallock	McInerney	Rodenbeck
Ahern	Doughty	Halpin	McKeown	Ross
Apgar	Duross	Harburger	McMillan	Sanders
Babcock	Dusinbery	Harris	McQuade	Scanlon
Bell	Egan	Hatch	Meister	Smith J E
Bennet	Ellis	Hawkins	O'Connell	Smith W H
Blackwell	Fancher	Holsten	Plank	Stevens
Bradley	Fish	Honeck	Platt	Sullivan
Bruckner	Fitzgerald	Juengst	Prince	Thorn
Burns	Fitzpatrick	Kaiser	Rainey	Traub
Cadin	Fowler	Keenan	Reilley	Ulmann
Coons	Galbraith	Kelly	Remsen	Vacheron
Darrison	Gardiner R	Lynn	Richter	Van Name
DeGraw	Gardner C J	Marson	Rider	Waite
Delaney	Geoghan	Mathews	Rierdon	Wilson H
Dempsey				

Those who voted in the negative, were

Allds	Everett	Hyman	Lewis M E	Rogers
Cook	Fisher	Irwin	Morgan	Sherer
Cooley	Graeff	Kelsey	Nye	Smith A R
Daly	Griffith	Knipp	Phillips	Smith J T
Davis	Hammond	Leggett	Price	Swift
Dickey	Henry			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 2294) entitled "An act authorizing the city of Rome to issue bonds for the purpose of extending and constructing street improvement, and paying indebtedness heretofore incurred on account of street improvements, and the cleaning and keeping of the streets in repair" (Int. No. 1567), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 98 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Davis	Hawkins	O'Connell	Salverds
Adler	Delaney	Hitchcock	O'Malley	Scanlon
Allds	Dickey	Holsten	Orr	Schneider
Allston	Dickinson	Hyman	Patton	Sherer
Apgar	Duross	Irwin	Phillips	Smith A R
Babcock	Dusinbery	Kaiser	Phipps	Smith J L
Baker	Ellis	Keenan	Plank	Smith S W
Baum	Fancher	Kelly	Poth	Smith W H
Bell	Fisher	Kelsey	Price	Stevens
Blackwell	Fitzgerald	Landon	Prince	Sullivan
Bradley	Fordyce	Lewis M E	Rainey	Swift
Brooks	Frisbie	Lynn	Remsen	Thorn
Bruckner	Galbraith	Mansfield	Reynolds	Traub
Burnett	Gardner C J	Mathews	Richter	Ulmann
Burns	Geoghan	McKeown	Rider	Vacheron
Conger	Griffith	McMillan	Roberts	Waite
Cooley	Halpin	McQuade	Robinson	Walrath
Costello	Hanford	Meister	Rodenbeck	Weber
Cotton	Harburger	O'Brien	Ross	Wilson H
Daly	Hasenflug			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 2297) entitled "An act to legalize and confirm the official acts of James F. McGee, a commissioner of deeds of the city of New York" (Int. No. 1570), was read the third time, hav-

ing been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 92 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Daly	Harburger	McQuade	Scanlon
Adler	Davis	Harris	Morgan	Schneider
Ahern	Delaney	Hatch	Nye	Seymour
Allston	Dempsey	Henry	O'Brien	Smith A R
Apgar	Dickinson	Hitchcock	O'Malley	Smith J T
Axtell	Doughty	Honeck	Patton	Smith S W
Baker	Dusinbery	Irwin	Phipps	Snyder
Bedell	Egan	Kaiser	Platt	Stevens
Bell	Everett	Keenan	Poth	Sullivan
Blackwell	Fisher	Kelly	Prince	Swift
Brill	Fitzgerald	Kelsey	Rainey	Traub
Brooks	Fordyce	Landon	Remsen	Treat
Bruckner	Frisbie	Leggett	Richter	Vacheron
Bryan	Gardiner R	Lewis T D	Rierdon	Van Name
Burns	Gardner C J	Mains	Roberts	Waite
Cadin	Geoghan	Mansfield	Rodenbeck	Walrath
Cook	Griffith	Mathews	Ruehl	Weekes
Cooley	Hallock	McKeown	Salyerds	Wilson H
Coons	Hammond			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 2326) entitled "An act to authorize the construction and maintenance of a public market or markets in the city of Rochester, and the location and acquisition of grounds therefor, and to provide for the maintenance thereof" (Int. No. 1580), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 111 }
 { NOES 00 }

Those who voted in the affirmative, were

Adams	Coughtry	Halpin	McInerney	Ruehl
Adler	Daly	Hammond	McMillan	Salyerds
Alds	Darrison	Hanford	McQuade	Scanlon
Allston	Davis	Harris	Morgan	Schneider
Apgar	DeGraw	Hasenflug	Nye	Seymour
Axtell	Delaney	Hatch	O'Connell	Sherer
Babcock	Dickey	Hawkins	O'Malley	Smith A R
Baker	Dickinson	Hitchcock	Patton	Smith J E
Baum	Doughty	Honeck	Phipps	Smith J L
Bedell	Duross	Hyman	Platt	Smith S W
Bennet	Egan	Irwin	Poth	Smith W H
Blackwell	Ellis	Kaiser	Price	Stevens
Bradley	Fancher	Keenan	Rainey	Sullivan
Brooks	Fish	Kelly	Reilley	Swift
Bruckner	Fisher	Kelsey	Reynolds	Thorn
Bryan	Fitzpatrick	Knipp	Richter	Treat
Burns	Frisbie	Leggett	Rierdon	Ulmann
Cadin	Galbraith	Lewis M E	Roberts	Van Name
Conger	Gardiner R	Lynn	Robinson	Waite
Cook	Gardner C J	Mains	Rodenbeck	Weber
Cooley	Graeff	Marson	Rogers	Weekes
Coons	Hallock	Mathews	Ross	Wilson H
Cotton				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill (No. 1180, Assembly reprint No. 2410) entitled "An act to amend chapter 322 of the Laws of 1890, entitled 'An act to revise, amend and consolidate the several acts relating to the village of Plattsburgh, and to repeal certain acts and parts of acts,' and to create a commission for the improvement of said village and define its powers and duties" (Rec. No. 322), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 108 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Davis	Harburger	McInerney	Ruehl
Adler	DeGraw	Harris	McMillan	Salyerds
Ahern	Delaney	Hatch	McQuade	Scanlon
Allston	Dempsey	Hawkins	Morgan	Schneider
Apgar	Dickey	Hitchcock	Nye	Seymour
Axtell	Dickinson	Holsten	O'Brien	Smith A R
Baker	Doughty	Honeck	O'Malley	Smith J E
Baum	Duross	Hyman	Orr	Smith J L
Bedell	Dusinbery	Irwin	Phillips	Smith S W
Bennet	Ellis	Juengst	Plank	Smith W H
Bradley	Fancher	Kaiser	Poth	Snyder
Brill	Fisher	Keenan	Price	Stevens
Bruckner	Fitzgerald	Kelly	Rainey	Swarts
Bryan	Fitzpatrick	Kelsey	Reilly	Traub
Burnett	Fowler	Knipp	Reynolds	Treat
Cadin	Frisbie	Landon	Rider	Vacheron
Conger	Galbraith	Leggett	Rierdon	Van Name
Cooley	Gardner C J	Lewis T D	Roberts	Waite
Coons	Geoghan	Lynn	Robinson	Weber
Cotton	Griffith	Mansfield	Rogers	Weekes
Daly	Halpin	Marson	Ross	Wilson H
Darrison	Hammond	Mathews		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same with amendments.

The bill (No. 2375) entitled "An act to extend and regulate liability of employers to employes and others for injuries suffered by them" (Int. No. 38), having been announced for a third reading,

On motion of Mr. Costello, and by unanimous consent, said bill was ordered placed on the third reading calendar for Monday next.

The bill (No. 2153) entitled "An act to amend chapter 151 of the Laws of 1844, entitled 'An act to authorize the construction of a timber, plank or hard road from Salina in the county of Onondaga, to Central Square in the county of Oswego,' in rela-

tion to the toll charges for automobiles" (Int. No. 1507), having been announced for a third reading,

On motion of Mr. Baker, said bill was laid aside, retaining its place on the order of third reading.

The bill (No. 2000) entitled "An act relative to the powers and liabilities of The Farmers' Loan and Trust Company, and the qualifications of its directors" (Int. No. 1426), was read the second time.

On motion of Mr. Weekes, said bill was placed on the order of third reading and referred to the committee on revision.

The Senate bill (No. 1086, Assembly reprint No. 2176) entitled "An act to provide for the appointment of a commissioner of jurors and to provide for a special jury in civil and criminal actions in each county of the State having a population of 1,000,000 or more, according to the last preceding federal census" (Rec. No. 272), having been announced for a second reading,

On motion of Mr. Allds, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The bill (No. 2422) entitled "An act to amend chapter 466 of the Laws of 1866, entitled 'An act in regard to normal schools,' in relation to officers of local boards and their compensation" (Int. No. 1620), was read the second time.

On motion of Mr. Fowler, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2392) entitled "An act to amend chapter 556 of the Laws of 1894, entitled 'An act to revise, amend and consolidate the general acts relating to public instruction'" (Int. No. 1604), was read the second time.

On motion of Mr. Griffith, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2237) entitled "An act to amend section 1, title 9 of chapter 556 of the Laws of 1894, entitled 'An act to revise, amend and consolidate the general acts relating to public instruction'" (Int. No. 1527), having been announced for a second reading,

On motion of Mr. Griffith, and by unanimous consent said bill was ordered placed on the second reading calendar for Friday next.

The bill (No. 2365) entitled "An act to provide for the payment of the claim of the Eureka Fire Hose Company for furnishing fire hose to the village of Far Rockaway" (Int. No. 1594), was second time.

On motion of Mr. DeGraw, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 610) entitled "An act to enable the commissioner or commissioners or other competent executive authority of the police department of the city of New York to rehear and determine the charges against Thomas Cassidy, a policeman of the first grade, for reappointment in said department" (Int. No. 555), was read the second time.

On motion of Mr. Hoeneck, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2401) entitled "An act to amend chapter 171 of the Laws of 1901, entitled 'An act to amend chapter 451 of the Laws of 1899, entitled An act to enable persons who have deposited money in a bank and have lost the certificate, or the same has been destroyed, to draw the money due thereon, relating to the satisfaction and discharge of bonds or undertakings given to secure the payment of such certificates'" (Int. No. 1611), was read the second time.

On motion of Mr. Walrath, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1749) entitled "An act to amend chapter 986 of the Laws of 1896, entitled 'An act to incorporate the Patent and Copyright Protective Association of New York,' as amended by chapter 496 of the Laws of 1898" (Int. No. 1296), was read the second time.

On motion of Mr. Henry, said bill was placed on the order of third reading and referred to the committee on revision.

The Senate bill (No. 887) entitled "An act to amend chapter 108 of the Laws of 1891, entitled 'An act to make the office of sheriff of Erie county a salaried office in part and regulating the management of said office' by providing for the compensation of the under sheriff and deputy sheriffs designated by the board of supervisors of said county" (Rec. No. 338), was read the second time.

On motion of Mr. O'Malley, said bill was placed on the order of third reading.

The Senate bill (No. 1165) entitled "An act to amend the Insanity Law, known as chapter 545 of the Laws of 1896" (Rec. No. 347), was read the second time.

On motion of Mr. Malby, said bill was placed on the order of third reading and referred to the committee on revision.

The Senate bill (No. 1166) entitled "An act to repeal chapter 394 of the Laws of 1866, entitled 'An act to provide for and legalize the election of an additional justice of the peace in the town of DeKalb, in the county of St. Lawrence'" (Rec. No. 317), was read the second time.

On motion of Mr. Plank, said bill was placed on the order of third reading.

The Senate bill (No. 938) entitled "An act to provide for the improvement of Prospect avenue in the borough of Brooklyn, in the city of New York" (Rec. No. 200), was read the second time.

On motion of Mr. H. Wilson, said bill was placed on the order of third reading.

The Senate bill (No. 1257) entitled "An act to amend chapter 151 of the Laws of 1844, entitled 'An act to authorize the construction of a timber, plank or hard road from Salina in the county of Onondaga, to Central Square in the county of Oswego,' in relation to the toll charges for automobiles" (Rec. No. 355), was read the second time.

On motion of Mr. Hammond, said bill was placed on the order of third reading.

The privileges of the floor were extended to Hon. Nicholas O'Connor, a former member of this House.

A message from the Governor, by the hands of his secretary, was received and read in the words following:

STATE OF NEW YORK—EXECUTIVE CHAMBER,
ALBANY, April 10, 1901.

To the Legislature:

In a message transmitted to you in January your attention was directed to the steadily growing expense of the State printing, and the hope was expressed that something might be done prior to the adjournment of the Legislature to remedy the evils,

now patent to everyone, which have resulted from the present form of contract.

I know of no subject that can be brought to your attention where the necessity for a remedy is more urgent. Under the law as it is to-day the board charged with the duty of awarding the contract for printing is deprived of discretionary power in making the award, and by a system of unbalanced bidding which has resulted, the growth of this expense has been something phenomenal. For instance, the Red Books for 1902, which under the contract that expired in January last would have cost \$2.50 each, will cost \$6 per copy, an increase of \$7,000 in this item alone. The Attorney-General is having his briefs typewritten instead of having them printed, owing to the great increase in their cost.

The most of the agitation against any change in the method of letting the printing contract comes from rival bidders who are not engaged in the work of job printing, but who simply bid upon the State printing work in order to sub-let the contract to a responsible person at as large a figure as it is possible to secure. Under the last contracts the successful bidders were John A. McCarthy for the legislative printing, and C. F. Williams for the department printing. Both of these contracts were sub-let. I believe that to this system is due the growth of the State printing as shown by the following figures:

For legislative printing:

1880	\$46,516 34
1881	16,995 72
1882	36,434 17
1883	71,485 02
1884	53,793 65
1885	67,537 79
1886	41,667 60
1887	92,016 51
1888	133,590 20
1889	135,661 49
1890	140,158 88
1891	95,000 00
1892	104,792 23
1893	151,989 60
1894	205,302 26
1895	194,796 03
1896	302,585 81
1897	144,850 00
1898	382,438 30
1899	322,675 88
1900	394,872 61

In addition to this the department printing for the years 1896, 1897, 1898, 1899 and 1900 cost as follows:

1896	\$42,585 94
1897	72,653 76
1898	73,487 63
1899	79,127 47
1900	73,134 81

A total for the five years of \$340,989.61.

I understand that bills are before you at the present time relating to the State printing. If nothing else is done, the existing law should be amended, giving a greater discretionary power to the board charged with the duty of letting the contract, and such contract should be limited to one year, so that should any defects creep in as have been discovered in the present contract, they could be remedied at the next session of the Legislature. The present contract will expire in May of this year. It will be seen, therefore, that prompt action should be taken.

In this connection it would seem wise also to readjust the number of copies of departmental reports which are to be assigned to each department. This is particularly true with reference to the department of the State Board of Regents, where the greatest leak apparently exists. I am confident that if proper legislation should be enacted at this session of the Legislature governing the letting of the next contract, the result would be a saving of at least \$60,000 or \$70,000 per year. There is certainly nothing in the way of service to the State that will commend itself more strongly to the taxpayers than a remedy in this direction.

I commend the subject to you for your immediate and careful consideration, and trust that you will, by reference to the proper committees, take it up at once.

B. B. ODELL, JR.

Said message was ordered printed and referred to the committee on public printing.

(See Document.)

A message from the Governor, by the hand of his Secretary, was received and read, in the words following:

STATE OF NEW YORK—EXECUTIVE CHAMBER,

ALBANY, *April 10, 1901.*

To the Assembly:

Assembly bill No. 1845, entitled "An act relating to temporary and out-door relief for the poor of the county of Westchester," is herewith returned without approval.

The General Poor Law, under which the county of Westchester is now operating provides that the board of supervisors may determine whether they will adopt the county or the town system of caring for the poor. The county of Westchester has adopted what is known as the county system of caring for its poor. This bill provides that so far as the temporary and outdoor relief of the poor is concerned they may adopt the town system, practically, while retaining the county system for the permanent poor relief. The proposed amendment is open to the objection that it provides a special act for the county of Westchester and might establish a precedence for an amendment to the General Poor Law by special acts covering various localities. General acts should not be amended in this manner. If it is desirable that the board of supervisors should have the power to adopt one system for temporary relief and another for permanent relief of the poor, that should be accomplished by an amendment to the general law and not by special acts applying to particular counties.

For these reasons I do not think this bill should receive executive approval.

B. B. ODELL, JR.

On motion of Mr. Apgar, said bill, together with said message, was laid upon the table.

By unanimous consent, Mr. Babcock called up the bill (No. 1880) entitled "An act to amend the Public Health Law, relative to the practice of hypnotism, mesmerism, suggestive therapeutics and allied phenomena" (Int. No. 1345), heretofore laid aside on the order of second reading.

Said bill having been announced for a second reading,

Mr. Babcock moved to amend as follows:

Strike out all after the enacting clause and insert the following:

"Section 1. Neither hypnotism nor mesmerism shall hereafter be taught within this state, except in schools, colleges or other educational institutions, which shall maintain for such purpose standards of education therein approved by the regents of the university of the state of New York, and all such schools, colleges or educational institutions shall be under the control and supervision of said regents and subject to the provisions of the university law so far as the same may be applicable.

"§ 2. No person shall practice hypnotism or mesmerism hereafter, except duly licensed and authorized physicians and surgeons, unless duly graduated from such a school, college or educational institution, after a full course of study therein and the

registration of his certificate of graduation or diploma therefrom in the office of the clerk of the county wherein he shall so practice.

“§ 3. Any person, who shall violate the provisions hereof, shall be guilty of a misdemeanor.

“§ 4. This act shall take effect on May first, nineteen hundred and one.”

Amend the title to read as follows:

“An act to protect the public health by regulating the teaching and practice of hypnotism and mesmerism.”

Mr. Speaker put the question whether the House would agree to said motion of Mr. Babcock, and it was determined in the affirmative.

On motion of Mr. Babcock, said bill, as amended, was ordered reprinted and placed on the order of second reading.

A communication was received from Hon. Robert A. Van Wyck, mayor of the city of New York, returning Assembly bill No. 1915, entitled “An act to amend chapter 277 of the Laws of 1869, entitled ‘An act to incorporate the Fulton Market Fishmongers Association of the city of New York,’ relative to the renewal of its lease with the city of New York” (Int. No. 1247), with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. W. F. Porter, mayor of the city of Watertown, returning Assembly bill No. 1510, entitled “An act to amend chapter 322 of the Laws of 1850, entitled ‘An act to incorporate the fire department of the village of Watertown,’ in relation to the officers of the department, the powers of the directors, and changing the name thereof” (Int. No. 1172), with a message that said mayor, and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

Mr. Dickinson offered for the consideration of the House, a resolution in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill No. 1275, Senate reprint No. 1197, entitled “An act to confer jurisdiction upon the Court of Claims to hear, audit

and determine the alleged claim of Maria A. Benedict, as administratrix of the goods, chattels, credits and personal property of Archibald W. Benedict, deceased, against the State of New York, for damages for the death of the said Archibald W. Benedict, deceased" (Int. No. 1038, Rec. No. 241), for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, Assembly bill No. 1275, Senate reprint No. 1197, entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Maria A. Benedict, as administratrix of the goods, chattels, credits and personal property of Archibald W. Benedict, deceased, against the State of New York, for damages for the death of the said Archibald W. Benedict, deceased" (Int. No. 1038, Rec. No. 241), with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK—EXECUTIVE CHAMBER,
ALBANY, April 11, 1901.

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly herewith is returned for amendment Assembly bill No. 1275, Senate reprint No. 1197, entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Maria A. Benedict, as administratrix of the goods, chattels, credits and personal property of Archibald W. Benedict, deceased, against the State of New York, for damages for the death of the said Archibald W. Benedict, deceased." (Int. No. 1038.)

B. B. ODELL, JR.

Mr. Sanders gave notice that on Tuesday, April 16th, 1901, he would call up the bill (No. 2104) entitled "An act to amend the

Penal Code, in relation to gaming " (Int. No. 198), the same having been laid aside on the order of third reading.

By unanimous consent, Mr. Vacheron called up the bill (No. 2435) entitled "An act to make the office of sheriff of the county of Queens a salaried office and regulating the management of said office " (Int. No. 872), now on the order of third reading.

Said bill having been announced for a third reading,

Mr. Vacheron moved that said bill be recommitted to the committee on internal affairs, with instructions to report the same forthwith, amended as follows:

Page 3, line 21, strike out the word "four" and insert the word "two."

Mr. Speaker put the question whether the House would agree to said motion of Mr. Vacheron, and it was determined in the affirmative.

Mr. Doughty, from the committee on internal affairs, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The Senate returned the Senate bill (No. 1180, Assembly reprint No. 2410) entitled "An act to amend chapter 322 of the Laws of 1890, entitled 'An act to revise, amend and consolidate the several acts relating to the village of Plattsburg, and to repeal certain acts and parts of acts,' and to create a commission for the improvement of said village and define its powers and duties " (Rec. No. 322), with a message that they have concurred in the amendments of the Assembly thereto.

Ordered, That the Clerk return said bill to the Senate.

The Senate returned the following entitled bills, with a message that they have concurred in the passage of the same, without amendment:

"An act to authorize the common council of the city of Elmira to determine and award damages for the changing of the grade of West Water street, between Railroad avenue and Main street, in the city of Elmira." (No. 1582, Int. No. 1211.)

"An act to amend chapter 561 of the Laws of 1881, entitled 'An act authorizing the city of Elmira to issue bonds for the purpose of establishing a permanent system of sewerage in said city, and in relation to the construction of such sewerage,' relat-

ing to the acquisition of rights of way." (No. 1393, Int. No. 1102.)

Ordered, That the Clerk transmit certified copies thereof to the mayor of the city of Elmira.

"An act to amend chapter 14 of the Laws of 1808, entitled 'An act to further amend chapter 143 of the Laws of 1861, entitled An act to amend and consolidate the several acts in relation to the charter of the city of Rochester, and to consolidate therewith the several acts in relation to the charter of said city,' in relation to the boundaries of said city." (No. 2010, Int. No. 1438.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Rochester.

"An act to amend chapter 330 of the Laws of 1883, entitled 'An act to supply the city of Schenectady with water,' as amended by chapter 776 of the Laws of 1896, as amended by chapter 161 of the Laws of 1898, as amended by chapter 300 of the Laws of 1898, as amended by chapter 176 of the Laws of 1899, relative to the Schenectady water loan." (No. 1536, Int. No. 1196.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Schenectady.

"An act to authorize the common council of the city of Elmira to determine and award damages for the changing of the original grade of Walnut street, between the south side of Water street and low water mark of the Chemung river, in the city of Elmira." (No. 1927, Int. No. 1382.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Elmira:

"An act for the relief of David W. Dowling, in payment of services rendered by him in and for the city of New York." (No. 910, Int. No. 793.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

"An act to amend chapter 385 of the Laws of 1862, entitled 'An act to amend and consolidate the several acts relative to the city of Schenectady,' as amended by chapter 62 of the Laws of 1873, relative to the powers and duties of city officers." (No. 1877, Int. No. 1214.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Schenectady.

"An act to legalize the permits of the park board of the city of New York, and the commissioner of parks for the boroughs of Manhattan and Richmond in the city of New York, in regard to certain projections on Central Park West and adjoining streets, in New York city." (No. 2272, Int. No. 1550.)

"An act to authorize the board of estimate and apportionment of the city of New York, in its discretion, to examine into the facts concerning the services claimed to have been rendered by John A. Turner in the department of finance in the city of New York, in the year 1899 and 1900." (No. 1765, Int. No. 865.)

"An act to amend chapter 541 of the Laws of 1892, entitled 'An act to permit the consolidation of library companies in the city of New York,' extending said privilege to other counties." (No. 2258, Int. No. 1413.)

Ordered, That the Clerk transmit certified copies thereof to the mayor of the city of New York.

"An act to amend chapter 58 of the Laws of 1890, entitled 'An act to incorporate the city of Corning,' and the acts amendatory thereof and supplemental thereto." (No. 1399, Int. No. 1108.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Corning.

"An act to provide for the payment of the claim of Thomas Penders for mason work and material furnished the board of education of Long Island City during the year 1891." (No. 621, Int. No. 566.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

"An act to amend chapter 182 of the Laws of 1892, entitled 'An act to incorporate the city of Mount Vernon,' relative to the powers of the board of education." (No. 2308, Int. No. 1478.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Mount Vernon.

The Senate returned the following entitled bills:

"An act to amend the Stock Corporation Law, in relation to the power to mortgage property, reorganization of corporations, liability of stockholders and directors and repealing certain sections of said law." (No. 17, Senate reprint No. 1296, Int. No. 15.)

"An act to amend chapter 337 of the Laws of 1893, relative to the appointment of trust companies as guardian, trustee or administrator." (No. 116, Senate reprint No. 1196, Int. No. 116.)

"An act to provide for the extraordinary repair and improvement of existing mechanical and other structures and works on and connected with the canals of this State." (No. 536, Senate reprint No. 1291, Int. No. 500.)

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the following entitled bills, with a message that they have concurred in the passage of the same, without amendment:

"An act to amend the Town Law, relating to biennial town meetings held on the day of a general election and the terms of town officers." (No. 1796, Int. No. 719.)

"An act to provide for repairing and rebuilding of the wing walls and approach of the bridge over the outlet of Crooked lake, in the town of Milo, Yates county, and making an appropriation therefor." (No. 534, Int. No. 498.)

"An act to reappropriate a certain sum for the construction of a foot bridge over the Erie canal on Brainard street, in the village of Whitesboro, county of Oneida, and making an additional appropriation therefor." (No. 959, Int. No. 577.)

"An act to amend chapter 370 of the Laws of 1897, entitled 'An act to revise, amend and consolidate the several acts relating to the village of Lancaster, and to repeal all acts and parts of acts relating thereto,' relative to powers and duties of trustees, etc." (No. 2256, Int. No. 968.)

"An act making an appropriation for the Thomas Asylum for Orphan and Destitute Indian Children." (No. 2037, Int. No. 804.)

"An act to amend chapter 431 of the Laws of 1897, entitled 'An act to revise and consolidate into one act the charter of the village of Nunda, and the several acts relating thereto, and to repeal certain acts in relation to the same,' in relation to unpaid village taxes and the exemption of the village of Nunda from the payment of highway taxes of the town of Nunda." (No. 1925, Int. No. 1380.)

"An act to amend chapter 518 of the Laws of 1889, entitled 'An act to revise the charter of the village of Mount Morris,' in relation to the collection of unpaid village taxes." (No. 2265, Int. No. 1381.)

"An act to extend the time for the collection of taxes in the towns and cities of the county of Westchester, N. Y." (No. 1598, Int. No. 1227.)

"An act to legalize the official acts of David A. Wolven as justice of the peace of the town of Italy, county of Yates." (No. 2198, Int. No. 1521.)

"An act to provide for the completion of repairs and improvements to the Skaneateles feeder of the Erie canal and making an appropriation therefor." (No. 2032, Int. No. 392.)

"An act to amend the Insurance Law, in relation to assessment notice of fraternal societies." (No. 1858, Int. No. 820.)

"An act to provide for the repairing and the extension and enlargement of a sea wall heretofore built by the State and to prevent inundation and overflowing of the uplands between the villages of East Marion and Orient in the town of Southold, Suffolk county, from encroachments by the sea and making an appropriation therefor." (No. 714, Int. No. 220.)

"An act to amend the Code of Civil Procedure, relating to order of distribution." (No. 1075, Int. No. 483.)

"An act to amend the Code of Civil Procedure, relating to attachment." (No. 2020, Int. No. 579.)

"An act to amend section 91 of the Code of Civil Procedure, relating to the appointment and fixing the salaries of criers for courts of record in Erie county." (No. 1202, Int. No. 987.)

"An act to amend chapter 858 of the Laws of 1867, entitled 'An act to amend the statutes in reference to the collection of taxes in the county of Onondaga,' relative to redemption of real estate sold for taxes." (No. 2296, Int. No. 1569.)

"An act to amend the Agricultural Law, relating to tests to ascertain the amount of fats in milk." (No. 1490, Int. No. 937.)

"An act to amend the Agricultural Law, in relation to milk cans." (No. 1794, Int. No. 507.)

"An act to amend chapter 346 of the Laws of 1897, entitled 'An act creating the office of commissioner of jurors for each of the counties of the State of New York having a population of more than 200,000 and less than 300,000,' by adding a new section, relative to fees of constables." (No. 1282, Int. No. 713.)

"An act to legalize, ratify and confirm an issue of bonds of the village of Fishkill Landing, in the county of Dutchess, to

the amount of \$100,000, issued for the purpose of providing for the expense of constructing a sewer system in and for the said village; and to legalize the special election held in the said village on the 4th day of June, 1900, and all proceedings of the board of trustees of the said village authorizing and directing the issue of the said bonds." (No. 2119, Int. No. 1484.)

"An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Mary Kinneally, as heir and next of kin of William A. Kinnilly, deceased, to certain funds or moneys held by the State." (No. 1354, Int. No. 248.)

"An act to amend section 96 of the Railroad Law, in relation to the crossing of bridges to depots, stations and termini of other railroads." (No. 601, Int. No. 546.)

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the following entitled bill:

"An act for the relief of certain villages." (No. 934, Senate reprint No. 1328, Int. No. 805.)

Ordered that the Clerk deliver said bill to the Governor.

The Senate returned the following entitled bills, with a message that they have reconsidered the vote by which said bills were passed, and as amended have again passed the same:

"An act to amend the Village Law, in relation to general powers of the board of trustees." (No. 2304, Int. No. 1110.)

"An act to amend chapter 338 of the Laws of 1897, relative to the planting of oysters and clams in the public waters of the town of Hempstead, in the county of [Queens] Nassau, and to repeal section 9 thereof." (No. 2332, Int. No. 591.)

"An act to amend the Tax Law, relative to publication of notices by collectors in the county of Suffolk." (No. 2211, Int. No. 1030.)

"An act to amend the Town Law, relative to the oaths of office of justices of the peace." (No. 2172, Int. No. 766.)

"An act to amend chapter 257 of the Laws of 1860, entitled 'An act to incorporate the Hyde Park Fire Department in Dutchess county,' relative to the qualifications of its members." (No. 2311, Int. No. 617.)

Ordered, That the Clerk deliver said bills to the Governor.

On motion of Mr. Allds, the House adjourned.

FRIDAY, APRIL 12, 1901.

The House met pursuant to adjournment.

Prayer by Rev. Frazer Metzger.

On motion of Mr. Kelsey, the reading of the journal of yesterday was dispensed with and the same was approved.

The Senate sent for concurrence the following entitled bills:

"An act to authorize the Comptroller of this State to hear and determine the several applications of David C. Leech and Minnie A. Lord for the cancellation of the sale of 1890 for the taxes of 1860 of a tract of land in the town of Schroon, county of Essex, State of New York, described as 'Rogers (Platt) & Company's road-patent, lot 1; subdivision 11 thereof, containing 94 acres more or less' and conveyed to the people of the State of New York" (No. 1409, Rec. No. 421), which was read the first time, and referred to the committee on ways and means.

"An act to authorize the board of public improvements of the city of New York to lay out, open and construct a street, road, avenue, or highway from the present easterly terminus of the Eastern parkway, in the borough of Brooklyn and city of New York and county of Kings, to the westerly boundary or side of Forrest park in said city, in the county of Queens, through the lands of Cypress Hills cemetery, situate in the counties of Kings and Queens" (No. 1411, Rec. No. 422), which was read the first time, and referred to the committee on affairs of cities.

"An act to amend section 56 of the Code of Criminal Procedure, relating to jurisdiction of courts of special sessions" (No. 1434, Rec. No. 423), which was read the first time, and referred to the committee on codes.

"An act to authorize the construction and maintenance of a public market or markets in the city of Rochester, and the location and acquisition of grounds therefor, and to provide for the maintenance thereof" (No. 1364, Rec. No. 424), which was read the first time, and referred to the committee on affairs of cities.

"An act to amend chapter 115 of the Laws of 1898, entitled 'An act to provide for the improvement of the public highways,' relative to the maintenance of highways as amended by chapter 293 of the Laws of 1900, and chapter 109 of the Laws of 1901"

(No. 1421, Rec. No. 425), which was read the first time, and referred to the committee on internal affairs.

"An act to amend chapter 740 of the Laws of 1896, entitled 'An act to amend the charter of the Hebrew Benevolent and Orphan Asylum Society of the city of New York, and to authorize its appointment as general guardian of the person and property of infants under its care and control'" (No. 1453, Rec. No. 426), which was read the first time, and referred to the committee on charitable and religious societies.

"An act to amend section 180 of the Tax Law by reducing the organization tax" (No. 1417, Rec. No. 427), which was read the first time.

On motion of Mr. Seymour, and by unanimous consent, said bill was read the second time and ordered to a third reading, and referred to the committee on taxation and retrenchment.

"An act ratifying the laying out and construction of Pelham avenue, from Webster avenue to Southern boulevard in the borough of the Bronx in the city of New York, and authorizing persons assessed for said work to apply to the Supreme Court, First Department, for relief from the assessment laid therefor" (No. 1439, Rec. No. 428), which was read the first time, and referred to the committee on affairs of cities.

"An act releasing to the owners of adjoining lands, parts of Albany street, in the city of Buffalo" (No. 1392, Rec. No. 429), which was read the first time, and referred to the committee on the judiciary.

"An act to amend chapter 171 of the Laws of 1901, entitled 'An act to amend chapter 451 of the Laws of 1899, entitled An act to enable persons who have deposited money in a bank and have lost the certificate, or the same has been destroyed, to draw the money due thereon, relating to the satisfaction and discharge of bonds or undertakings given to secure the payment of such certificates'" (No. 1429, Rec. No. 430), which was read the first time, and referred to the committee on banks.

"An act to amend the Agricultural Law, relating to the sale and transportation of calves" (No. 1346, Rec. No. 431), which was read the first time, and referred to the committee on agriculture.

"An act to define the rights of persons and corporations engaged in the business of storing personal chattels, and to regulate the said business" (No. 1404, Rec. No. 432), which was read the first time, and referred to the committee on the judiciary.

"An act to amend section 55 of the Insurance Law, in relation to insurance upon the lives of minors" (No. 1369, Rec. No. 433), which was read the first time, and referred to the committee on insurance.

"An act to amend section 641 of the Penal Code, to prevent employes of telegraph and telephonic companies aiding criminals in violating the laws of this State" (No. 1272, Rec. No. 434), which was read the first time, and referred to the committee on codes.

"An act to amend section 93 of the Railroad Law, in relation to consents and percentages" (No. 1406, Rec. No. 435), which was read the first time, and referred to the committee on railroads.

"An act to amend chapter 212 of the Laws of 1888, being the charter of the city of Ithaca, and providing for the adoption of a sanitary code in and for said city, and providing for the punishment of violations thereof in said city" (No. 338, Rec. No. 436), which was read the first time, and referred to the committee on affairs of cities.

"An act to amend chapter 645 of the Laws of 1898, entitled 'An act in relation to printing in penal institutions in the State'" (No. 1430, Rec. No. 437), which was read the first time, and referred to the committee on public printing.

Mr. Harburger introduced a bill entitled "An act to prohibit the consolidation of gas companies in the borough of Manhattan" (Int. No. 1670), which was read the first time, and referred to the committee on electricity, gas and water supply.

Mr. Kelsey introduced a bill entitled "An act to amend chapter — of the Laws of 1901, entitled 'An act in relation to tenement houses in cities of the first class,' in relation to the construction of buildings" (Int. No. 1671), which was read the first time, and referred to the committee on affairs of cities.

By unanimous consent,

Mr. Apgar introduced a bill entitled "An act to authorize the board of trustees of the village of Peekskill to levy and collect a tax for the purpose of paying the existing indebtedness of said

village and to purchase a fire-alarm bell" (Int. No. 1672), which was read the first time.

On motion of Mr. Apgar, and by unanimous consent, said bill was read the second time and ordered to a third reading, and referred to the committee on rules.

By unanimous consent,

Mr. Doughty introduced a bill entitled "An act to extend the term of office of certain town officers in the several towns in the county of Nassau" (Int. No. 1673), which was read the first time, and referred to the committee on internal affairs.

Mr. Fowler introduced a bill entitled "An act to amend chapter 15 of the Laws of 1843, entitled 'An act to incorporate the Westfield cemetery corporation,' in relation to the amount of land which such corporation is authorized to acquire and hold" (Int. No. 1674), which was read the first time, and referred to the committee on rules.

Mr. Burnett, from the committee on general laws, to which was referred the bill introduced by Mr. M. E. Lewis, Int. No. 1531, entitled "An act to amend chapter 290 of the Laws of 1892, entitled 'An act to authorize the formation of a corporation by benevolent orders for the acquisition of real property and the erection and maintenance of buildings for the use of such orders,' relative to the Foresters of America" (No. 2241), reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Burnett, from the committee on general laws, to which was recommitted the bill introduced by Mr. Darrison, Int. No. 1495, entitled "An act to amend chapter 640 of the Laws of 1900, entitled 'An act to amend chapter 152 of the Laws of 1899, entitled An act in relation to the use of bicycles on sidepaths, for licensing bicycles, for the appointment of sidepath commissioners, and to provide for the construction, maintenance, regulation, preservation and shading of sidepaths, by defining the powers and duties of said commissioners, and to repeal certain acts relative thereto,' by removing the special provision in regard to the license fee in Monroe county, and providing that the number of the year shall appear on the license" (No. 2141), retaining its place on the order of second reading, reported in favor of the

passage of the same without amendment, which report was agreed to, and said bill ordered restored to its place on the order of second reading.

Mr. Kelsey, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Mills, Rec. No. 387, entitled "An act to amend chapter 128 of the Laws of 1899, entitled 'An act to incorporate the city of New Rochelle,' as amended by chapters 462 and 550 of the Laws of 1900" (No. 1370), retaining its place on the order of third reading, reported in favor of the passage of the same without amendment, which report was agreed to, and said bill restored to its place on the order of third reading.

Mr. Kelsey, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Cooley, Int. No. 1526, entitled "An act to amend sections 2129, 2132 and 2133 of chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interest in the city of New York,' relating to Hellgate pilots" (No. 2236), reported in favor of the passage of the same, with the following amendments:

Page 1, line 2, strike out the words "said act" and add in lieu thereof the words "chapter four hundred and ten of the laws of eighteen hundred and eighty-two, entitled 'An act to consolidate into one act and to declare the special and local laws affecting local interests in the city of New York.'"

Page 4, at the end of line 1, add the words: "as amended by chapter six hundred and ninety-one of the laws of eighteen hundred and ninety-five."

Same page, line 3, strike out the word "act" and insert the word "title."

Same page, line 5, insert the word "or" at the beginning of line.

Amend title as follows: After the word "amend" strike out all down to the word "chapter"; also, strike out the word "interest" and insert the word "interests."

OTTO KELSEY,

Chairman.

Which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Kelsey, from the committee on affairs of cities, to which

was referred the Senate bill introduced by Mr. Hennessy, Rec. No. 328, entitled "An act to lay out, establish, build and maintain a causeway, bridge or viaduct for use as a public street across the Jerome park reservoir, from Jerome avenue to Sedgwick avenue in the city of New York" (No. 1200), reported in favor of the passage of the same, with the following amendments:

Page 1, line 3, strike out the word "to."

Page 2, line 11, strike out the word "be" and insert after the word "shall" the words "not exceed."

Page 3, line 2, after the word "commissioners" insert the words "whenever the plans for said viaduct shall have been approved by the department of health of the city of New York."

OTTO KELSEY,

Chairman.

Which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Kelsey, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Reynolds, Int. No. 1632, entitled "An act to provide for the payment and assessment of the cost of certain local improvements in the city of Rensselaer" (No. 2439), retaining its place on the order of third reading, reported in favor of the passage of the same without amendment, which report was agreed to, and said bill ordered restored to its place on the order of third reading.

Mr. Kelsey, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Ross, Int. No. 1634, entitled "An act to amend chapter 227 of the Laws of 1898, entitled 'An act to create a public improvement commission in and for the city of Cohoes, and define its powers and duties,' in relation to street pavements, condemnation proceedings and assessments" (No. 2441), retaining its place on the order of third reading, reported in favor of the passage of the same without amendment, which report was agreed to, and said bill ordered restored to its place on the order of third reading.

Mr. Kelsey, from the committee on affairs of cities, to which was referred the bill introduced by Mr. O'Malley, Int. No. 1595, entitled "An act releasing to the owners of adjoining lands, parts of Albany street, in the city of Buffalo" (No. 2366), retaining its

place on the order of third reading, reported in favor of the passage of the same without amendment, which report was agreed to, and said bill ordered restored to its place on the order of third reading.

Mr. Kelsey, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Marson, Int. No. 1640, entitled "An act to ratify and legalize the franchise and agreement granted and made by and between the common council of the city of Rome, N. Y., and the Rome City Street Railway Company" (No. 2447), retaining its place on the order of third reading, reported in favor of the passage of the same without amendment, which report was agreed to, and said bill ordered restored to its place on the order of third reading.

Mr. Kelsey, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Marson, Int. No. 1635, entitled "An act to amend chapter 25 of the Laws of 1870, entitled 'An act to incorporate the city of Rome,' relating to assessors, their duties and powers" (No. 2442), retaining its place on the order of third reading, reported in favor of the passage of the same without amendment, which report was agreed to, and said bill ordered restored to its place on the order of third reading.

Mr. Kelsey, from the committee on affairs of cities, to which was referred the bill introduced by Mr. M. E. Lewis, Int. No. 1648, entitled "An act to amend chapter 14 of the Laws of 1880, entitled 'An act to further amend chapter 143 of the Laws of 1861, entitled An act to amend and consolidate the several acts in relation to the charter of the city of Rochester, and to consolidate therewith the several acts in relation to the charter of said city,' relative to expenses incident to improvements" (No. 2468), reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Kelsey, from the committee on affairs of cities, to which was referred the bill introduced by Mr. M. E. Lewis, Int. No. 1646, entitled "An act to amend chapter 14 of the Laws of 1880, entitled 'An act to further amend chapter 143 of the Laws of 1861, entitled An act to amend and consolidate the several acts in relation to the charter of the city of Rochester, and to con-

solidate therewith the several acts in relation to the charter of said city,' and to permit the common council of said city to grant rebates of interest and penalties on unpaid taxes and local assessments" (No. 2466), reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Kelsey, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Mills, Rec. No. 380, entitled "An act entitled an act to amend chapter 182 of the Laws of 1892, entitled 'An act to incorporate the city of Mount Vernon'" (No. 1305), reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Kelsey, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Elsborg, Rec. No. 377, entitled "An act to provide for the taxation and payment of the fees and expenses of the commissioners of estimate and assessment heretofore appointed by the Supreme Court in the proceedings in the city of New York for the extension and opening of Manhattan street in said city" (No. 1334), reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Kelsey, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Wilcox, Rec. No. 369, entitled "An act authorizing the common council of the city of Auburn to borrow money on the credit of said city and issue its bonds to the amount not exceeding \$30,000, the avails to be used for paving portions of East Genesee and Genesee streets, in said city, during the year 1901, and to include the amount of said bonds, maturing each year, with the interest on bonds unpaid, in the tax budget of that year, until all bonds issued under the provisions of this act are fully paid and retired" (No. 1278), reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Dougherty, from the committee on internal affairs, to which was referred the bill introduced by Mr. Leggett, Int. No. 1486, entitled "An act for the relief of the towns of Newfane, Wilson

and Lewiston, and to enable each of said towns to refund and adjust its indebtedness and to issue bonds therefor" (No. 2121), retaining its place on the order of third reading, reported in favor of the passage of the same without amendment, which report was agreed to, and said bill ordered restored to its place on the order of third reading.

Mr. Doughty, from the committee on internal affairs, to which was referred the bill introduced by Mr. Patton, Int. No. 1643, entitled "An act to amend an act entitled 'An act enlarging and modifying the powers of town officers in towns within counties having over 300,000 inhabitants, and providing for public improvements within such towns, excepting the counties of New York and Kings,' being chapter 816 of the Laws of 1895" (No. 2450), retaining its place on the order of third reading, reported in favor of the passage of the same without amendment, which report was agreed to, and said bill ordered restored to its place on the order of third reading.

Mr. Doughty, from the committee on internal affairs, to which was referred the bill introduced by Mr. Fowler, Int. No. 1630, entitled "An act to amend chapter 568 of the Laws of 1890, entitled 'An act in relation to highways, constituting chapter 19 of the general laws,' in relation to the application of the money system of highway improvement" (No. 2437), reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Doughty, from the committee on internal affairs, to which was referred the bill introduced by Mr. Traub, Int. No. 1612, entitled "An act regulating tolls to be charged by turnpike, plank road or toll road companies exercising corporate franchises wholly or partly within the county of Onondaga for automobile trucks or carriages drawn or propelled over their carriage roads" (No. 2402), retaining its place on the order of third reading, reported in favor of the passage of the same without amendment, which report was agreed to, and said bill ordered restored to its place on the order of third reading.

Mr. Doughty, from the committee on internal affairs, to which was referred the Senate bill introduced by Mr. Cocks, Rec. No. 408, entitled "An act to provide for rebinding, recopying and

transcribing certain books and records in the office of the clerk of the county of Queens" (No. 761), reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Knipp, from the committee on excise, to which was referred the Senate bill introduced by Mr. Stranahan, Rec. No. 334, entitled "An act to amend chapter 112 of the Laws of 1896, entitled 'An act in relation to the traffic in liquors, and for the taxation and regulation of the same, and to provide for local option, constituting chapter 29 of the general laws,' as amended by chapter 312 of the Laws of 1897, by chapter 167 of the Laws of 1898, by chapters 398 and 434 of the Laws of 1899, and by chapters 257 and 367 of the Laws of 1900" (No. 1181), reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Hatch, from the committee on revision, to which was referred the following entitled bills, reported the same without recommendations:

"An act to amend section 2 of chapter 341 of the Laws of 1895, in relation to the literature fund to be distributed to academic schools." (No. 2369, Int. No. 1598.)

"An act to enable the commissioner or commissioners or other competent executive authority of the police department of the city of New York to rehear and determine the charges against Thomas Cassidy, a policeman of the first grade, for reappointment in said department." (No. 610, Int. No. 555.)

"An act to amend chapter 466 of the Laws of 1866, entitled 'An act in regard to normal schools,' in relation to officers of local boards and their compensation." (No. 2422, Int. No. 1620.)

"An act to provide for the payment of the claim of the Eureka Fire Hose Company for furnishing fire hose to the village of Far Rockaway." (No. 2365, Int. No. 1594.)

"An act relative to the powers and liabilities of The Farmers' Loan and Trust Company, and the qualifications of its directors." (No. 2000, Int. No. 1426.)

"An act relating to Mount Magdalen School of Industry and Reformatory of the Good Shepherd in the City of Troy and commitments thereto." (No. 2430, Int. No. 1628.)

"An act to amend the Code of Civil Procedure, relative to judgment creditors' actions." (No. 2427, Int. No. 1625.)

"An act to amend section 2632 of the Code of Civil Procedure, in relation to the record of certain wills." (No. 2461, Int. No. 1419.)

"An act to amend the Public Health Law, relative to the practice of veterinary medicine and surgery." (No. 2391, Int. No. 1603.)

"An act to amend section 1 of chapter 378 of the Laws of 1883, entitled 'An act in relation to receivers of corporations,' relative to actions brought against corporations." (No. 2462, Int. No. 1520.)

"An act to provide for construction of a stone arch over the Canastota creek over the mouth of the State sewer emptying into said creek near the northerly side of Chappel street in the village of Canastota, and making an appropriation therefor." (No. 2050, Int. No. 1453.)

Ordered, That said bills be engrossed for a third reading.

Mr. Hatch, from the committee on revision, to which was referred the bill (No. 2392) entitled "An act to amend chapter 556 of the Laws of 1894, entitled 'An act to revise, amend and consolidate the general acts relating to public instruction'" (Int. No. 1604), reported the same with the following recommendations:

Page 1, line 1, after the words "Title five of" insert the words "chapter five hundred and fifty-six of."

Same page, line 4, strike out the words "so as."

Page 2, lines 11 and 12, strike out the words "section four."

Same page, line 13, strike out the words "so as."

Same page, line 18, after the word "such" insert the word "territory" in brackets.

Same page, line 20, after the word "may" insert the word "also."

Page 3, line 4, after the word "act" insert the words "as enacted by chapter two hundred and sixty-four of the laws of eighteen hundred and ninety-six."

Same page, same line, strike out the words "so as."

Same page, line 21, strike out the words "section eighteen."

Same page, lines 22 and 23, strike out the words "section one."

Same page, line 24, strike out the words "so as."

Page 4, line 5, underscore the letter "s" in the word "boards."

Same page, line 27, strike out the words "the following" and insert the words "a new" in lieu thereof, and after the word "section" insert a comma and the words "to be number fifty-five, to read as follows:."

Amend the title to read as follows: "An act to amend the consolidated school law, relative to the dissolution of school districts, et cetera."

HYATT C. HATCH,
Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Hatch, from the committee on revision, to which was referred the bill (No. 1749) entitled "An act to amend chapter 986 of the Laws of 1896, entitled 'An act to incorporate the Patent and Copyright Protective Association of New York,' as amended by chapter 496 of the Laws of 1898" (Int. No. 1296), reported the same with the following recommendations:

Page 2, line 17, after the word "business" insert in brackets the words "within one year from the passage of this act and."

Same page, line 19, strike out the word "four" and insert the word "two" in lieu thereof.

HYATT C. HATCH,
Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Hatch, from the committee on revision, to which was referred the bill (No. 2401) entitled "An act to amend chapter 171 of the Laws of 1901, entitled 'An act to amend chapter 451 of the Laws of 1899, entitled An act to enable persons who have deposited money in a bank and have lost the certificate, or the same has been destroyed, to draw the money due thereon, relating to the satisfaction and discharge of bonds or undertakings given to secure the payment of such certificates'" (Int. No. 1611), reported the same with the following recommendations:

Page 1, line 2, after the word "ninety-nine" insert the following: "entitled 'An act to enable persons who have deposited money in a bank and have lost the certificate, or the same has been destroyed, to draw the money due thereon.'"

Page 2, line 4, strike out the words "so as."

Amend the title to read as follows: "An act to amend chapter four hundred and fifty-one of the laws of eighteen hundred and ninety-nine, relating to the satisfaction and discharge of bonds or undertakings given to secure the payment of lost certificates."

HYATT C. HATCH,
Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Babcock, from the committee on printed and engrossed bills, reported as correctly printed the following entitled bills:

"An act to amend the Greater New York charter, relative to offensive trades in the several boroughs of the city of New York and to provide compensation for the persons conducting such trades upon the discontinuing of the same." (No. 2452, Int. No. 971.)

"An act authorizing the board of education of union free school district No. 1, of the town of Catskill, county of Greene, N. Y., to enter into an agreement in regard to the care and maintenance of a public library on lands owned by the Catskill public library in said union free school district." (No. 2120, Int. No. 1485.)

"An act to amend chapter 385 of the Laws of 1862, entitled 'An act to amend and consolidate the several acts relative to the city of Schenectady' in relation to providing means for payment of certain street improvements." (No. 2434, Int. No. 1456.)

"An act to amend section 2802 of the Code of Civil Procedure, relative to annual accounts by trustees." (No. 2451, Int. No. 959.)

"An act to amend chapter 105 of the Laws of 1891, entitled 'An act to revise the charter of the city of Buffalo,' and the acts amendatory thereof, with relation to the office of mayor." (No. 2453, Int. No. 1305.)

"An act to amend chapter 360 of the Laws of 1898, entitled 'An act to amend chapter 413 of the Laws of 1897, entitled An act relating to State finance, constituting chapter 10 of the general laws, and known as the State Finance Law, in reference to the education fund,' in relation to the compensation of loan commissioners in connection with the sale of land acquired by foreclosure." (No. 2377, Int. No. 228.)

"An act to amend section 56 of the Code of Criminal Procedure relating to jurisdiction of courts of special sessions." (No. 2415, Int. No. 1405.)

"An act to amend section 82 of chapter 683 of the Laws of 1892, known as the Executive Law, with respect to notaries public acting in more than one county." (No. 2340, Rec. No. 46.)

"An act making an appropriation for the construction of buildings for the New York State hospital, for the treatment of incipient pulmonary tuberculosis." (No. 2390, Rec. No. 145.)

"An act to amend the Penal Code relating to the sentencing of convicts to State prisons." (No. 2414, Rec. No. 255.)

"An act to amend chapter 143 of the Laws of 1892, entitled 'An act to incorporate the city of Niagara Falls,' and the acts amendatory thereof in reference to the terms of its officers." (No. 2455, Int. No. 1417.)

"An act in relation to the Fallsburgh and Monticello Railroad Company." (No. 2454, Int. No. 1459.)

"An act to amend the Tax Law in regard to the assessment of real property in two or more tax districts." (No. 2433, Int. No. 1354.)

"An act to amend the Tax Law relative to appeals to the State board of tax commissioners." (No. 2379, Int. No. 393.)

"An act to amend the Insanity Law, relative to the care and support of indigent insane." (No. 2348, Int. No. 1431.)

"An act to provide for the construction of a vertical wall on the south side of the Erie canal, from the west side of bridge No. 131 of section 10 of the Erie canal, and making an appropriation therefor." (No. 2378, Int. No. 320.)

"An act to authorize the abandonment of the Ohio Basin Slip in the city of Buffalo, between the south line of Elk street and the Main and Hamburg street canal, the abatement of the nuisance created thereby and vesting the title and ownership to the lands and premises included therein in said city." (No. 1733, Int. No. 1294.)

"An act authorizing an investigation as to the expediency and cost of establishing a municipal electric lighting plant in and for the city of Syracuse." (No. 2345, Int. No. 1364.)

"An act to amend the Domestic Commerce Law, in relation to the size of apple, pear, quince and potato barrels." (No. 2376, Rec. No. 194.)

"An act to amend the Election Law, relative to independent nominations." (No. 2341, Int. No. 62.)

"An act to amend the Tax Law, in relation to expense incurred by county treasurers in publishing notice to redeem land sold for taxes." (No. 2380, Int. No. 681.)

"An act to enable the county of Erie and the town of Grand Island to construct a bridge from the town of Grand Island across the east branch of the Niagara river to the main land, and to issue bonds therefor." (No. 2384, Int. No. 1516.)

"An act authorizing the village of Ellenville, in the county of Ulster, to raise money by issuing bonds for the establishment of a gas or electric light plant, for said village." (No. 2344, Int. No. 1300.)

The bill (No. 1023) entitled "An act to confirm in and to George W. Kenyon prior grants of certain land under the waters of New York bay in the county of Kings made by the people of the State of New York, and to release to him the title and interest, if any, now remaining in the people of the State of New York in and to said land" (Int. No. 873), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 104 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	DeGraw	Hanford	McKeown	Ruehl
Adler	Dempsey	Harburger	McMillan	Sanders
Ahern	Dickey	Hasenflug	McQuade	Scanlon
Allds	Dickinson	Hatch	Morgan	Seymour
Apgar	Doughty	Hawkins	Nye	Sherer
Axtell	Duross	Henry	O'Connell	Smith J E
Baker	Dusinbery	Holsten	O'Malley	Smith J T
Baum	Ellis	Honeck	Orr	Smith S W
Bedell	Everett	Hyman	Phillips	Snyder
Bell	Fancher	Juengst	Phipps	Stevens

Blackwell	Fisher	Kaiser	Plank	Swarts
Brill	Fitzgerald	Keenan	Platt	Thorn
Brooks	Fitzpatrick	Kelly	Price	Traub
Bryan	Fowler	Kelsey	Rainey	Treat
Burns	Frisbie	Landon	Remsen	Vacheron
Cadin	Gardiner R	Leggett	Richter	Van Name
Cook	Gardner C J	Lewis M E	Rider	Waite
Coons	Geoghan	Lewis T D	Rierdon	Weber
Cotton	Griffith	Lynn	Robinson	Weekes
Daly	Hallock	Mansfield	Rodenbeck	Wilson H
Davis	Hammond	Mathews	Rogers	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 2191) entitled "An act to regulate public dancing in certain counties of the State " (Int. No. 1513), having been announced for a third reading,

On motion of Mr. Bennett, and by unanimous consent, said bill was ordered placed on the third reading calendar for Monday next.

The bill (No. 2188) entitled "An act to establish a commission for the maintenance and operation of the municipal electric light plant of the village of Green Island, Albany county, N. Y." (Int. No. 1041), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 105 }
 { NOES 00 }

Those who voted in the affirmative, were

Adams	Dickinson	Hyman	O'Connell	Scanlon
Adler	Doughty	Irwin	O'Malley	Seymour
Ahern	Egan	Juengst	Orr	Sherer
Allds	Everett	Kaiser	Patton	Smith J E
Apgar	Fish	Keenan	Phillips	Smith J L
Axtell	Fitzgerald	Kelly	Phipps	Smith S W
Baker	Fordyce	Kelsey	Plank	Smith W H
Baum	Fowler	Knipp	Poth	Stevens

Bell	Galbraith	Landon	Price	Sullivan
Blackwell	Gardiner R	Leggett	Prince	Swarts
Brill	Gardner C J	Lewis T D	Rainey	Swift
Brooks	Graeff	Mains	Remsen	Thorn
Bryan	Hallock	Mansfield	Reynolds	Traub
Burns	Hammond	Marson	Richter	Treat
Conger	Harburger	Mathews	Rider	Ulmann
Cooley	Harris	McInerney	Roberts	Vacheron
Costello	Hasenflug	McQuade	Robinson	Van Name
Coughtry	Hawkins	Meister	Rodenbeck	Waite
Darrison	Henry	Morgan	Rogers	Weber
DeGraw	Holsten	Nye	Ruehl	Weekes
Dempsey	Honeck	O'Brien	Sanders	Wilson H

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 2424) entitled "An act to amend section 31 of chapter 559 of the Laws of 1895 known as the 'Membership Corporations Law,' in relation to membership in corporations formed for the purpose of gathering and procuring information and intelligence for the use and benefit of its members" (Int. No. 1622), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 109 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Cotton	Hallock	Mathews	Ross
Adler	Daly	Hammond	McInerney	Salyerds
Ahern	Darrison	Hanford	McKeown	Sanders
Allds	Davis	Harburger	McQuade	Scanlon
Allston	Delaney	Harris	Meister	Schneider
Apgar	Dickey	Hasenflug	Nye	Seymour
Babcock	Dooling	Hawkins	O'Connell	Sherer
Baker	Doughty	Henry	O'Malley	Smith J E
Baum	Dusinbery	Hitchcock	Patton	Smith J T
Bell	Ellis	Honeck	Phipps	Smith S W

Bennet	Everett	Irwin	Plank	Smith W H
Blackwell	Fish	Juengst	Poth	Snyder
Bradley	Fisher	Kaiser	Price	Sullivan
Brill	Fitzgerald	Keenan	Prince	Swarts
Brooks	Fordyce	Kelly	Rainey	Swift
Bruckner	Fowler	Knipp	Reilley	Traub
Burnett	Frisbie	Landon	Richter	Treat
Cadin	Galbraith	Leggett	Rider	Vacheron
Conger	Gardner C J	Lewis T D	Rierdon	Waite
Cook	Geoghan	Lynn	Robinson	Weber
Cooley	Graeff	Mains	Rodenbeck	Wilson H
Costello	Griffith	Marson	Rogers	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 2323) entitled "An act to amend chapter 511 of the Laws of 1889, entitled 'An act to amend, revise and consolidate the several acts relating to the village of Cooperstown, in the county of Otsego,' relative to the powers of trustees" (Int. No. 1577), having been announced for a third reading,

On motion of Mr. A. R. Smith, said bill was laid aside, and ordered stricken from the calendar.

The bill (No. 1543) entitled "An act to amend the Real Property Law, relating to the descent of real property" (Int. No. 637), having been announced for a third reading,

On motion of Mr. Seymour, and by unanimous consent, said bill was ordered placed on the third reading calendar for Monday next.

The Senate bill (No. 1065) entitled "An act for the promotion of agriculture, and making an appropriation for the State fair" (Rec. No. 288), having been announced for a third reading,

On motion of Mr. Allds, and by unanimous consent, said bill was ordered placed on the third reading calendar for Monday next.

The Senate bill (No. 2409) entitled "An act to amend section 217 of chapter 20 of the Laws of 1900, known as the Forest, Fish and Game Law" (Rec. No. 275), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 113 }
 { NOES 00 }

Those who voted in the affirmative, were

Adams	Davis	Hitchcock	O'Malley	Sherer
Adler	DeGraw	Honeck	Orr	Smith A R
Ahern	Dempsey	Hyman	Patton	Smith J E
Allds	Dickey	Irwin	Phipps	Smith J L
Allston	Dooling	Juengst	Plank	Smith J T
Axtell	Doughty	Kaiser	Platt	Smith S W
Babcock	Duross	Keenan	Price	Smith W H
Baker	Egan	Kelly	Prince	Snyder
Bedell	Everett	Kelsey	Rainey	Stevens
Bell	Fancher	Landon	Remsen	Swarts
Bennet	Fisher	Leggett	Richter	Swift
Blackwell	Fitzgerald	Lewis M E	Rider	Thorn
Brill	Fordyce	Lynn	Rierdon	Traub
Brooks	Frisbie	Mains	Robinson	Treat
Bryan	Gardiner R	Mansfield	Rodenbeck	Ulmann
Burnett	Geoghan	Marson	Ross	Vacheron
Cadin	Graeff	McInerney	Ruehl	Van Name
Conger	Hallock	McKeown	Salyerds	Waite
Cooley	Hammond	McMillan	Sanders	Walrath
Coons	Harburger	Meister	Scanlon	Weber
Costello	Hasenflug	Morgan	Schneider	Weekes
Cotton	Hatch	O'Brien	Seymour	Wilson H
Daly	Henry	O'Connell		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 1088) entitled "An act to amend the Insurance Law relating to the valuation of policies or health insurance" (Rec. No. 392), having been announced for a third reading,

On motion of Mr. Allds, and by unanimous consent, said bill was ordered placed on the third reading calendar for Monday next.

The Senate bill (No. 1087) entitled "An act to amend the Insurance Law, relative to insurance against disablement result-

ing from sickness" (Rec. No. 393), having been announced for a third reading,

On motion of Mr. Allds, and by unanimous consent, said bill was ordered placed on the third reading calendar for Monday next.

The bill (No. 2460) entitled "An act to amend the Highway Law, relative to county supervision of highways" (Int. No. 764), was read the second time.

On motion of Mr. O'Brien, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2463) entitled "An act to amend the Agricultural Law, relative to adulterations of food" (Int. No. 1583), having been announced for a second reading,

Mr. Henry moved to amend as follows:

Page 1, lines 1 to 6 inclusive, strike out underscoring.

Same page, line 8, before the figures "157" and after the section mark insert the number "40" in brackets and underscore the number "157."

Same page, same line, after the word "definition" insert the letter "s" in brackets.

Page 2, line 2, after the word "include" insert the word "every" in brackets.

Same page, line 3, after the word "man" and before the word "and" insert the following words in brackets "and all confectionery; the term, drug, when so used shall include all medicines for external and internal use."

Same page, line 8, after the word "fermented" insert the word "and" in brackets.

Same page, between lines 8 and 9, insert as follows in brackets "§ 2. Subdivision B of section forty-one of such chapter is hereby amended to read as follows."

Same page, line 9, insert a capital "B" before the section mark; and underscore "§ 158."

Same page, line 15, after the word "for" insert the word "it" in brackets.

Same page, line 17, after the word "abstracted" insert the words "from it" in brackets.

Same page, line 18, after the word "it" insert the words "is in" in brackets.

Same page, line 20, after the word "consist" insert the letter "s" in brackets.

Same page, same line, after the word "of" and before the word "deceased" insert the letter "a" in brackets.

Same page, line 22, underscore the words "or in the case of milk, if it is the produce of a diseased animal."

Same page, line 24, after the word "it" insert the word "is" in brackets, and in the same line underscore the word "or" before the word "polished."

Same page, line 25, after the word "better" insert the words "or of greater value" in brackets.

Same page, line 26, underscore the words "or of greater value."

Page 3, line 1, after the word "seven" insert as follows in brackets "if it contains any added substance or ingredient which is poisonous or injurious to health; provided that the provisions of this act shall not apply to healthful and wholesome mixtures or compounds recognized as ordinary articles or ingredients of articles of food, if each and every package manufactured, produced, offered or exposed for sale be distinctly labeled as mixtures or compounds and shall be so labeled as to plainly indicate that they are mixtures, combinations, compounds or blends with the name and percentage of each ingredient therein."

Same page, lines 1 to 10 inclusive, underscore all thereof.

Same page, line 11, underscore the figure "2" and insert thereafter the figure "3" in brackets.

Same page, line 14, underscore the figure "3" and insert thereafter the figure "4" in brackets.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

On motion of Mr. Henry, said bill as amended was ordered reprinted and placed on the order of second reading.

The bill (No. 2146) entitled "An act to amend the forest, fish and game laws, to prevent fishing in the waters of Whaley pond in Dutchess county from January 1st to May 31st" (Int. No. 1500), was read the second time.

On motion of Mr. J. T. Smith, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1218) entitled "An act to provide for dredging and deepening the channel of the Conhocton river and building a dyke along said river in the village of Painted Post, and making an appropriation therefor" (Int. No. 1003), was read the second time.

On motion of Mr. Platt, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2058) entitled "An act to provide for construction of a stone arch over the Canastota creek over the mouth of the State sewer emptying into said creek near the northerly side of Chappel street in the village of Canastota, and making an appropriation therefor" (Int. No. 1453), was read the second time.

On motion of Mr. Fish, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2357) entitled "An act to amend chapter 55 of the Laws of 1901, entitled 'An act to provide for rebuilding and equipping the State normal school at Fredonia, and making an appropriation therefor,' by authorizing the acquisition of additional land for the site of such schools" (Int. No. 1586), was read the second time.

On motion of Mr. Fowler, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2502) entitled "An act making an appropriation for the settlement of the balance due upon the contract for legislative printing, which expired October 1, 1899" (Int. No. 1665), was read the second time.

On motion of Mr. Allds, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2321) entitled "An act to amend the Railroad Law in relation to the acquisition of property by street surface railroad corporations" (Int. No. 1575), having been announced for a second reading,

On motion of Mr. Lynn, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The bill (No. 2271) entitled "An act to amend the Agricultural Law, relating to the sale and transportation of calves" (Int. No. 1549), was read the second time.

On motion of Mr. Henry, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2359) entitled "An act to amend section 131 of article 6 of the Tax Law, being chapter 24 of the general laws, as amended by chapter 339 of the Laws of 1898" (Int. No. 1588), having been announced for a second reading,

Mr. M. E. Lewis moved to amend as follows:

Page 1, line 8, insert before the word "except" a parenthesis mark, and on the same page and line after the word "state" insert the words "and the purchaser at the tax sale who is the owner with a duly recorded title of the land sold)."

Page 2, line 5, insert before the word "except" a parenthesis mark, and on the same page and line after the word "state" insert the words "and the purchaser at the tax sale who is the owner with a duly recorded title of the land sold)."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Said bill as amended was then read the second time, and on motion of Mr. M. E. Lewis was ordered reprinted and placed on the order of third reading and referred to the committee on revision.

The bill (No. 2416) entitled "An act to amend section 458 of the Penal Code, relating to crimes against the public peace" (Int. No. 1461), having been announced for a second reading,

On motion of Mr. Brooks, and by unanimous consent, said bill was ordered placed on the second reading calendar for Monday next.

The bill (No. 1712) entitled "An act to amend the Code of Civil Procedure in relation to attorney's liens" (Int. No. 1284), was read the second time.

On motion of Mr. Bennet, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2399) entitled "An act to amend section 1785 of the Code of Civil Procedure, in relation to actions to procure a judgment dissolving a corporation, created by or under the Laws of the State, and forfeiting its corporate rights, privileges and franchises in certain cases" (Int. No. 1610), was read the second time.

On motion of Mr. S. W. Smith, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2217) entitled "An act to amend the Code of Civil Procedure relating to depositions" (Int. No. 636), was read the second time.

On motion of Mr. Rodenbeck, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2144) entitled "An act to amend the Code of Civil Procedure, in relation to the jurisdiction of justices' courts" (Int. No. 1498), having been announced for a second reading,

On motion of Mr. Rogers, and by unanimous consent, said bill was ordered placed on the third reading calendar for Monday next.

The bill (No. 2237) entitled "An act to amend section 1, title 9 of chapter 556 of the Laws of 1894, entitled 'An act to revise, amend and consolidate the general acts relating to public instruction'" (Int. No. 1527), was read the second time.

On motion of Mr. Griffith, said bill was placed on the order of third reading.

On motion of Mr. Griffith, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 108 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Daly	Harris	Meister	Sanders
Adler	Davis	Hatch	Morgan	Scanlon
Ahern	DeGraw	Henry	Nye	Schneider
Allston	Delaney	Hitchcock	O'Connell	Seymour
Axtell	Dempsey	Honeck	O'Malley	Smith A R
Babcock	Dickinson	Irwin	Patton	Smith J E
Baker	Dooling	Juengst	Phillips	Smith J L
Baum	Duross	Kaiser	Platt	Smith S W
Bell	Egan	Keenan	Price	Smith W H
Bennet	Everett	Kelly	Prince	Stevens
Bradley	Fish	Kelsey	Rainey	Sullivan
Brooks	Fisher	Knipp	Remsen	Swarts
Bruckner	Fitzpatrick	Landon	Reynolds	Thorn
Bryan	Fordyce	Leggett	Rider	Traub
Burnett	Frisbie	Lewis T D	Rierdon	Treat
Cadin	Gardiner R	Lynn	Roberts	Vacheron
Cook	Geoghan	Mains	Robinson	Van Name

Cooley	Griffith	Mansfield	Rodenbeck	Waite
Coons	Hallock	Marson	Ross	Walrath
Costello	Halpin	McInerney	Ruehl	Weekes
Cotton	Hammond	McKeown	Salyerds	Wilson H
Coughtry	Harburger	McQuade		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 2117) entitled "An act empowering and directing the superintendent of public works to remove the obstruction, gravel, sand, etc., from the bed of Bond's creek south of Dunham's waste-weir to Fort Edward, and to remove obstructions, gravel, sand, etc., from Wood creek from Fort Ann to plank road leading west from Dunham's basin, Washington county, N. Y., where needed" (Int. No. 1471), was read the second time.

On motion of Mr. Irwin, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2291) entitled "An act to make an appropriation for the payment of the judgments of the Court of Claims other than those on account of the canals of this State" (Int. No. 1564), was read the second time.

On motion of Mr. Allds, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2292) entitled "An act to make an appropriation for the payment of the judgments of the Court of Claims, in claims arising on account of the canals of this State" (Int. No. 1565), was read the second time.

On motion of Mr. Allds, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2372) entitled "An act to provide for the construction of a new iron bridge over the Oswego canal at North Salina street in the city of Syracuse, and making an appropriation therefor" (Int. No. 1601), was read the second time.

On motion of Mr. Cadin, said bill was placed on the order of third reading and referred to the committee on revision.

The Senate bill (No. 424) entitled "An act to appropriate money for the repair and improvement of the State armory at Watertown, N. Y." (Rec. No. 394), was read the second time.

On motion of Mr. Bryan, said bill was placed on the order of third reading.

The Senate bill (No. 1224) entitled "An act making an appropriation for the New York State Hospital for the Care of Crippled and Deformed Children" (Rec. No. 325), was read the second time.

On motion of Mr. Darrison, said bill was placed on the order of third reading.

The Senate bill (No. 1248) entitled "An act to amend the University Law, in relation to the duplicate department" (Rec. No. 345), was read the second time.

On motion of Mr. Fancher, said bill was placed on the order of third reading.

The Senate bill (No. 625) entitled "An act to reappropriate money for the construction of a swing bridge over Black Rock harbor at Ferry street, in the city of Buffalo and to make an additional appropriation therefor" (Rec. No. 391), was read the second time.

On motion of Mr. O'Malley, said bill was placed on the order of third reading.

The Senate bill (No. 1258) entitled "An act to amend chapter 59 of the Laws of 1882, entitled 'An act to incorporate the Buffalo merchants' exchange,' and the acts amendatory thereof and supplementary thereto" (Rec. No. 379), was read the second time.

On motion of Mr. O'Malley, said bill was placed on the order of third reading.

The Senate bill (No. 985) entitled "An act to provide for establishing the south boundary line and a portion of the southwest boundary line of the county of St. Lawrence and the south boundary line of the county of Franklin and making an appropriation therefor" (Rec. No. 241), was read the second time.

On motion of Mr. Plank, said bill was placed on the order of third reading.

The Senate bill (No. 425) entitled "An act to amend section 44 of the Membership Corporations Law regarding the holding of special meetings for the purpose of electing directors" (Rec. No. 399), was read the second time.

On motion of Mr. Nye, said bill was placed on the order of third reading.

On motion of Mr. Nye, and by unanimous consent, said bill was read the third time, having been printed and upon the desks

of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 117 }
 { NOES 00 }

Those who voted in the affirmative, were

Adams	Dickinson	Kaiser	Orr	Seymour
Adler	Doughty	Keenan	Patton	Sherer
Ahern	Duross	Kelly	Phillips	Smith A R
Allds	Dusinbery	Kelsey	Plank	Smith J E
Allston	Egan	Knipp	Platt	Smith J L
Axtell	Everett	Landon	Poth	Smith J T
Babcock	Fish	Leggett	Price	Smith S W
Baum	Fisher	Lewis M E	Prince	Smith W H
Bedell	Fitzpatrick	Lewis T D	Rainey	Snyder
Bell	Frisbie	Lynn	Reilley	Stevens
Bennet	Gardiner R	Mains	Remsen	Sullivan
Blackwell	Geoghan	Marson	Reynolds	Swarts
Brill	Griffith	Mathews	Richter	Swift
Bruckner	Halpin	McInerney	Rierdon	Thorn
Bryan	Hammond	McKeown	Roberts	Traub
Burns	Harburger	McMillan	Robinson	Treat
Conger	Harris	McQuade	Rodenbeck	Ulmann
Cooley	Hasenflug	Meister	Ross	Vacheron
Costello	Hatch	Morgan	Ruehl	Van Name
Cotton	Henry	Nye	Salyerds	Walrath
Daly	Holsten	O'Brien	Sanders	Weber
Davis	Honeck	O'Connell	Scanlon	Weekes
DeGraw	Irwin	O'Malley	Schneider	Wilson H
Dickey	Juengst			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 1113) entitled "An act to enable owners of property liable to be assessed for a local improvement to review and correct the fixing of the district of assessment therefor" (Rec. No. 282), was read the second time.

On motion of Mr. Cooley, said bill was placed on the order of third reading.

The Senate bill (No. 1164) entitled "An act to amend section 661 of the Code of Criminal Procedure in reference to the criminal insane confined in an asylum" (Rec. No. 316), was read the second time.

On motion of Mr. Babcock, said bill was placed on the order of third reading.

The Senate bill (No. 700) entitled "An act to amend the Code of Civil Procedure with respect to the appointment of receivers and to add an additional section thereto, to be known as section 716-a" (Rec. No. 118), having been announced for a third reading,

On motion of Mr. Mansfield, and by unanimous consent, said bill was ordered placed on the third reading calendar for Monday next.

The bill (No. 2431) entitled "An act to amend chapter 53 of the Laws of 1879, entitled 'An act to revise the charter of the city of Auburn,' in relation to the amount of money to be raised for police purposes and in relation to water used for city purposes" (Int. No. 975), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 98 }
 { NOES 00 }

Those who voted in the affirmative, were

Adams	Dempsey	Henry	McQuade	Sanders
Adler	Dickinson	Hitchcock	Meister	Schneider
Allds	Doughty	Holsten	Morgan	Seymour
Allston	Dusinbery	Honeck	O'Brien	Smith A R
Apgar	Ellis	Hyman	O'Connell	Smith J E
Babcock	Fancher	Irwin	Orr	Smith J L
Baum	Fish	Juengst	Phillips	Smith S W
Bedell	Fitzgerald	Kaiser	Plank	Smith W H
Bennet	Fordyce	Keenan	Platt	Snyder
Bradley	Fowler	Kelly	Price	Sullivan

Brill	Galbraith	Kelsey	Rainey	Swarts
Bruckner	Gardiner R	Knipp	Remsen	Thorn
Bryan	Geoghan	Iandon	Richter	Traub
Burns	Graeff	Leggett	Rierdon	Treat
Conger	Hallock	Lewis M E	Robinson	Vacheron
Cooley	Halpin	Lewis T D	Rogers	Van Name
Costello	Hanford	Mains	Ross	Walrath
Coughtry	Harburger	Marson	Ruehl	Weekes
Daly	Hasenflug	McInerney	Salyerds	Wilson H
Davis	Hatch	McKeown		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 2407) entitled "An act to amend the Railroad Law in relation to construction of a road in street where other road is built" (Int. No. 1234), having been announced for a third reading,

On motion of Mr. J. E. Smith, and by unanimous consent, said bill was ordered placed on the third reading calendar for Monday next.

The bill (No. 1578) entitled "An act to authorize the city of Amsterdam to borrow money and to issue the bonds of said city therefor for the purpose of buying land and constructing buildings thereon for fire department purposes and to perform other acts incident thereto" (Int. No. 1207), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 111 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Davis	Harris	Meister	Ruehl
Adler	DeGraw	Hasenflug	Nye	Salyerds
Ahern	Dempsey	Hawkins	O'Brien	Sanders
Allds	Dickey	Henry	O'Connell	Scanlon
Apgar	Dooling	Holsten	O'Malley	Seymour

Axtell	Duross	Honeck	Patton	Sherer
Baker	Dusinbery	Irwin	Phillips	Smith A R
Bedell	Ellis	Juengst	Phipps	Smith J E
Bell	Everett	Keenan	Plank	Smith J T
Bennet	Fancher	Kelly	Poth	Smith S W
Blackwell	Fisher	Kelsey	Price	Snyder
Brill	Fitzgerald	Knipp	Prince	Stevens
Brooks	Fitzpatrick	Landon	Rainey	Sullivan
Bryan	Fowler	Lewis M E	Reilley	Swift
Burnett	Frisbie	Lewis T D	Remsen	Thorn
Burns	Galbraith	Mains	Richter	Treat
Cadin	Gardner C J	Mansfield	Rider	UlmaLn
Cook	Graeff	Mathews	Rierdon	Vacheron
Cooley	Griffith	McInerney	Roberts	Walrath
Costello	Hallock	McKeown	Robinson	Weber
Cotton	Hammond	McMillan	Rogers	Weekes
Coughtry	Hanford	McQuade	Ross	Wilson H
Daly				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill (No. 631, Assembly reprint No. 2313) entitled "An act to classify and grade, and to establish rates of compensation for clerks and other employees in the service of the State" (Rec. No. 119), having been announced for a third reading,

On motion of Mr. Allds, and by unanimous consent, said bill was ordered placed on the third reading calendar for Monday next.

The Senate bill (No. 1053, Assembly reprint No. 2314) entitled "An act to amend chapter 369 of the Laws of 1900, entitled 'An act to establish the New York State Hospital for the Care of Crippled and Deformed Children,' as amended by chapter 38 of the Laws of 1901, relative to estimates for hospital expenses" (Rec. No. 295), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{	AYES	99	}
{	NOES	00	}

Those who voted in the affirmative, were

Adams	Coons	Geoghan	Marson	Sanders
Adler	Costello	Griffith	McInerney	Scanlon
Ahern	Cotton	Halpin	McMillan	Schneider
Allds	Daly	Hammond	Meister	Sherer
Allston	Darrison	Harburger	Morgan	Smith A R
Apgar	DeGraw	Hasenflug	O'Brien	Smith J L
Axtell	Delaney	Hawkins	O'Malley	Smith J T
Babcock	Dempsey	Henry	Orr	Smith W H
Baker	Dickinson	Holsten	Phillips	Snyder
Bedell	Dooling	Honeck	Plank	Sullivan
Bell	Duross	Irwin	Platt	Swift
Bennet	Dusinbery	Juengst	Price	Traub
Bradley	Ellis	Keenan	Prince	Treat
Brill	Everett	Kelly	Reilley	Ulmann
Bruckner	Fish	Kelsey	Reynolds	Vacheron
Bryan	Fitzgerald	Knipp	Rider	Van Name
Burns	Fordyce	Landon	Roberts	Walrath
Conger	Fowler	Lewis M E	Rodenbeck	Weber
Cook	Galbraith	Lewis T D	Rogers	Wilson H
Cooley	Gardner C J	Mains	Ruehl	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same with amendments.

The bill (No. 238) entitled "An act to repeal chapter 1014 of the Laws of 1895, relating to a tunnel under East River" (Int. No. 238), having been announced for a third reading,

On motion of Mr. Rainey, and by unanimous consent, said bill was ordered placed on the third reading calendar for Monday next.

The bill (No. 1148) entitled "An act to prevent adulteration of and deception in the sale of drugs, chemicals and other substances" (Int. No. 955), having been announced for a third reading,

On motion of Mr. Weekes, and by unanimous consent, said bill was ordered placed on the third reading calendar for Monday next.

The bill (No. 2246) entitled "An act to amend the Code of Civil Procedure in relation to bringing in additional parties" (Int. No.

1536), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 118 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Daly	Hallock	McKeown	Ruehl
Adler	Darrison	Hammond	McQuade	Salyerds
Ahern	Davis	Hanford	Meister	Sanders
Allds	Delaney	Harris	Nye	Scanlon
Apgar	Dempsey	Hasenflug	O'Brien	Schneider
Axtell	Dickey	Hatch	O'Connell	Seymour
Babcock	Dickinson	Henry	O'Malley	Sherer
Baker	Dooling	Hitchcock	Orr	Smith A R
Baum	Doughty	Honeck	Patton	Smith J E
Bedell	Duross	Irwin	Phipps	Smith J L
Bell	Dusinbery	Juengst	Plank	Smith S W
Blackwell	Egan	Kaiser	Poth	Smith W H
Bradley	Ellis	Keenan	Price	Stevens
Brill	Everett	Kelly	Prince	Swarts
Brooks	Fancher	Kelsey	Rainey	Swift
Bryan	Fisher	Knipp	Reilley	Traub
Burnett	Fitzgerald	Landon	Reynolds	Ulmann
Burns	Fordyce	Lewis T D	Richter	Vacheron
Cadin	Fowler	Lynn	Rierdon	Waite
Conger	Galbraith	Mains	Roberts	Walrath
Cooley	Gardiner R	Mansfield	Robinson	Weber
Coons	Gardner CJ	Marson	Rogers	Weekes
Costello	Geoghan	Mathews	Ross	Wilson H
Coughtry	Griffith	McInerney		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill (No. 1332) entitled "An act to amend the Agricultural Law relative to San Jose scale and transportation of nursery stock into this State" (Rec. No. 372), was read the third time, having been printed and upon the desks of the members

in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 112 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	DeGraw	Hawkins	Nye	Smith A R
Adler	Dempsey	Hitchcock	O'Connell	Smith J E
Ahern	Dickey	Holsten	O'Malley	Smith J T
Allds	Dooling	Honeck	Patton	Smith J L
Allston	Doughty	Hyman	Phillips	Smith S W
Axtell	Duross	Irwin	Plank	Smith W H
Babcock	Egan	Juengst	Platt	Snyder
Baker	Ellis	Kaiser	Price	Stevens
Baum	Fancher	Keenan	Prince	Sullivan
Bedell	Fish	Kelly	Reilly	Swarts
Bennet	Fitzgerald	Kelsey	Reynolds	Swift
Bradley	Fordyce	Knipp	Rider	Thorn
Brill	Frisbie	Leggett	Rierdon	Traub
Brooks	Galbraith	Lewis M E	Roberts	Treat
Bryan	Gardner C J	Lynn	Robinson	Ulmann
Burns	Graeff	Mains	Rodenbeck	Vacheron
Cadin	Griffith	Marson	Rogers	Van Name
Conger	Hallock	Mathews	Ross	Waite
Cook	Hammond	McKeown	Ruehl	Walrath
Coons	Hanford	McMillan	Sanders	Weber
Cotton	Harris	Meister	Salyerds	Weekes
Daly	Hasenflug	Morgan	Scanlon	Wilson H
Davis	Hatch			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 887) entitled "An act to amend chapter 108 of the Laws of 1891, entitled 'An act to make the office of sheriff of Erie county a salaried office in part and regulating the management of said office' by providing for the compensation of the under sheriff and deputy sheriffs designated by the board

of supervisors of said county " (Rec. No. 338), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 113 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Delaney	Honeck	Orr	Sanders
Adler	Dickey	Irwin	Patton	Scanlon
Ahern	Dooling	Juengst	Phillips	Schneider
Allds	Duross	Keenan	Phipps	Sherer
Allston	Dusinbery	Kelly	Plank	Smith J E
Apgar	Ellis	Kelsey	Platt	Smith J L
Babcock	Fancher	Landon	Poth	Smith J T
Baum	Fisher	Leggett	Price	Smith W H
Bedell	Fitzgerald	Lewis M E	Prince	Stevens
Bennet	Fordyce	Lynn	Rainey	Sullivan
Bradley	Frisbie	Mains	Reilley	Swarts
Brill	Galbraith	Mansfield	Remsen	Thorn
Bruckner	Gardiner R	Marson	Reynolds	Traub
Bryan	Geoghan	Mathews	Richter	Treat
Burns	Graeff	McInerney	Rider	Ulmann
Conger	Hallock	McKeown	Rierdon	Vacheron
Cook	Hammond	McMillan	Roberts	Van Name
Cooley	Harburger	McQuade	Robinson	Waite
Coons	Harris	Meister	Rodenbeck	Walrath
Cotton	Hatch	Morgan	Rogers	Weber
Daly	Hawkins	Nye	Ross	Weekes
Darrison	Hitchcock	O'Connell	Salyerds	Wilson H
DeGraw	Holsten	O'Malley		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 1166) entitled "An act to repeal chapter 394 of the Laws of 1866, entitled 'An act to provide for and legalize the election of an additional justice of the peace in the town of DeKalb, in the county of St. Lawrence ' " (Rec. No. 817),

was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 99 }
 } NOES 00 }

Those who voted in the affirmative, were

Adams	Daly	Hatch	McQuade	Robinson
Adler	Davis	Hawkins	Meister	Rodenbeck
Ahern	Delaney	Hitchcock	Morgan	Ross
Allston	Dickey	Holsten	Nye	Salyerds
Apgar	Dickinson	Hyman	O'Brien	Scanlon
Axtell	Doughty	Juengst	O'Connell	Schneider
Baker	Dusinbery	Kaiser	O'Malley	Sherer
Bedell	Egan	Keenan	Orr	Smith A R
Bell	Everett	Kelly	Patton	Smith J L
Bradley	Fancher	Kelsey	Phillips	Smith S W
Brill	Fisher	Knipp	Phipps	Snyder
Bruckner	Fitzpatrick	Landon	Plank	Sullivan
Bryan	Fordyce	Lewis M E	Poth	Swift
Burns	Frisbie	Lewis T D	Price	Traub
Cadin	Gardner C J	Mains	Rainey	Ulmann
Conger	Graeff	Mansfield	Reilley	Van Name
Cook	Hallock	Marson	Reynolds	Waite
Coons	Halpin	Mathews	Richter	Weber
Costello	Hanford	McInerney	Rierdon	Weekes
Coughtry	Harris	McKeown	Roberts	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 938) entitled "An act to provide for the improvement of Prospect avenue in the borough of Brooklyn, in the city of New York" (Rec. No. 200), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree

to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

(AYES 89)
(NOES 00)

Those who voted in the affirmative, were

Adams	Darrison	Harburger	Morgan	Smith A R
Adler	DeGraw	Hasenflug	Nye	Smith J E
Ahern	Dempsey	Hawkins	O'Connell	Smith J T
Allston	Dickinson	Hitchcock	Orr	Smith S W
Axtell	Doughty	Holsten	Patton	Smith W H
Baker	Duross	Hyman	Phipps	Snyder
Baum	Egan	Juengst	Platt	Stevens
Bell	Ellis	Kaiser	Price	Swarts
Blackwell	Everett	Keenan	Rainey	Swift
Brill	Fish	Kelly	Remsen	Traub
Bruckner	Fitzgerald	Knipp	Richter	Treat
Burnett	Fordyce	Leggett	Rierdon	Vacheron
Burns	Fowler	Lewis M E	Robinson	Van Name
Conger	Galbraith	Lynn	Rogers	Waite
Cook	Gardiner R	Mansfield	Ruehl	Walrath
Coons	Geoghan	Mathews	Scanlon	Weber
Cotton	Hallock	McInerney	Schneider	Wilson H
Daly	Halpin	McMillan	Sherer	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 1257) entitled "An act to amend chapter 151 of the Laws of 1844, entitled 'An act to authorize the construction of a timber, plank or hard road from Salina in the county of Onondaga, to Central Square in the county of Oswego,' in relation to the toll charges for automobiles" (Rec. No. 355), having been announced for a third reading,

On motion of Mr. Allds, and by unanimous consent, said bill was ordered placed on the third reading calendar for Monday next.

The Senate bill (No. 1165) entitled "An act to amend the Insanity Law, known as chapter 545 of the Laws of 1896" (Rec. No. 1165), was read the third time, having been printed and upon

the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 95 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Coons	Geoghan	Lewis T D	Rodenbeck
Adler	Costello	Griffith	Lynn	Ross
Ahern	Coughtry	Halpin	Mansfield	Salyerds
Allds	Darrison	Hammond	Mathews	Scanlon
Apgar	DeGraw	Harburger	McKeown	Seymour
Axtell	Delaney	Harris	McMillan	Smith A R
Baker	Dickey	Hasenflug	Meister	Smith J L
Baum	Dickinson	Hawkins	Nye	Smith S W
Bell	Doughty	Henry	O'Connell	Snyder
Bennet	Dusinbery	Holsten	Orr	Stevens
Blackwell	Ellis	Honeck	Patton	Sullivan
Bradley	Fancher	Hyman	Phipps	Swift
Brooks	Fish	Juengst	Platt	Traub
Bruckner	Fitzgerald	Kaiser	Price	Ulmann
Burnett	Fitzpatrick	Keenan	Rainey	Vacheron
Burns	Fordyce	Kelly	Remsen	Waite
Cadin	Frisbie	Kelsey	Reynolds	Walrath
Cook	Gardiner R	Landon	Rider	Weekes
Cooley	Gardner C J	Leggett	Roberts	Wilson H

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. A. R. Smith offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on affairs of villages be discharged from the further consideration of the bill No. 1368, Rec. No. 378, entitled "An act to amend chapter 511 of the Laws of 1889, entitled 'An act to amend, revise and consolidate the several acts relating to the village of Cooperstown, in the county of Otsego,' relative to the powers of trustees" and that said bill be placed on the order of second reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

On motion of Mr. A. R. Smith, and by unanimous consent, said bill was read the second time and ordered to a third reading.

On motion of Mr. A. R. Smith, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 95 }
 { NOES 00 }

Those who voted in the affirmative, were

Adams	DeGraw	Hasenflug	McMillan	Salverds
Adler	Delaney	Hatch	McQuade	Sanders
Ahern	Dickey	Henry	Meister	Schneider
Allds	Dickinson	Holsten	Nye	Seymour
Apgar	Dooling	Irwin	O'Brien	Smith A R
Axtell	Doughty	Kaiser	O'Connell	Smith J E
Baker	Duross	Keenan	O'Malley	Smith J T
Baum	Dusinbery	Kelly	Patton	Smith S W
Bennet	Egan	Kelsey	Phipps	Snyder
Bradley	Fancher	Knipp	Plank	Stevens
Brooks	Fisher	Landon	Poth	Sullivan
Bruckner	Fitzpatrick	Leggett	Price	Swift
Burnett	Fowler	Lewis T D	Rainey	Traub
Cadin	Galbraith	Lynn	Reilley	Treat
Cook	Geohan	Mains	Reynolds	Ulmann
Cooley	Griffith	Marson	Rider	Vacheron
Costello	Hallock	Mathews	Roberts	Van Name
Cotton	Hammond	McInerney	Rodenbeck	Walrath
Daly	Harburger	McKeown	Rogers	Weekes

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Allds offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on public printing be discharged from the further consideration of the bill No. 2432, Int. No. 1257, entitled "An act in relation to the State printing."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Said bill having been announced for a second reading,

Mr. Fordyce moved to amend as follows:

Amend the title by changing period to comma and adding the words "constituting chapter fifty-two of the general laws, and repealing certain acts and parts of acts inconsistent therewith."

Page 1, line 1, after "Section 1" insert the word "Short"; also change the capital "T" to a small "t."

Page 2, line 16, after the word "tutions," insert the words "the printing of examination question papers in the rooms of the university of the state of New York by its employes, the stationery and blank books used by the legislature, the bulletins issued by the Geneva experimental station, and the printing authorized by the Election Law."

Same page, line 20, strike out the word "August" and insert the word "May."

Same page line 21, strike out the word "August" and insert the word "May."

Page 3, line 10, after the word "work" insert the words "of the various kinds."

Same page, line 12, strike out the words "covered by the contract."

Page 4, line 14, strike out the words "in sheets."

Page 5, line 9, after the word "printed" insert the words "at the same time."

Same page, line 12, strike out the words "the same" and change the word "deliver" to "delivered."

Same page, line 15, strike out the words "the same" and change the word "deliver" to "delivered."

Page 6, line 3, strike out the words "in sheets."

Page 7, line 2, strike out the words "two thousand" and insert the words "fifteen hundred."

Same page, line 8, strike out the words "on canals," and the words "one thousand of the same to be bound in cloth."

Same page, line 15, strike out the words "of the reports on tolls, trade and tonnage, five hundred copies."

Same page, line 20, strike out the word "three" and insert the word "two."

Page 8, line 5, strike out the words "nine thousand additional copies."

Same page, line 6, after the word "thousand" insert the words "additional copies" and at the end of the line change comma to semicolon.

Same page, line 7, strike out the words "and seven thousand for the use of the legislature."

Same page, line 8, change the word "five" to "three" and after the word "thousand" insert the word "additional."

Page 9, line 9, strike out the words "one hundred to be bound in leather, four" and insert the word "five."

Same page, line 17, change the word "four" to "three."

Same page, line 19, change the word "two" to "three."

Same page, line 25, strike out the words "and hospitals."

Page 10, line 2, strike out the words "all of" down to and including the word "cloth" in line 7.

Same page, line 11, after the word "certify" insert the words "before the first printing."

Same page, after line 16, insert the following:

"In the case of any printing authorized by this section or of any printing hereafter authorized by resolution of either branch of the legislature or by a concurrent resolution thereof no extra charge shall be made except for extra paper or work beyond that required by the terms of the contract actually furnished with the approval of the comptroller, and for such extra paper and work the charge allowed shall not exceed the current market rates. Composition shall not be charged a second time on matter printed from type already set or plates made at state expense, but the comptroller may make suitable allowance for handling of plates and reimposing type forms.

"In all cases where illustrations are used, the engravings and plates shall forthwith become the property of the state; and thereafter no charge shall be made for their subsequent use, except that the comptroller may make a suitable allowance for the handling of the plates.

"All of the extra copies of the reports mentioned in this section, except as otherwise provided, shall be bound in paper covers, unless a report shall embrace more than three hundred pages, in which case the whole number of extra copies shall be bound in cloth."

Same page, line 25, after the word "bureau" strike out the word "or," also, insert a comma, and after the word "department" strike out comma and insert the words "or commission."

Page 11, line 1, strike out the word "or" and after the word "department" insert the words "or commission."

Page 12, line 1, after the word "forth" insert the words "in the advertisement."

Same page, line 3, after the word "year" strike out comma and the words "of the nature covered by said contract" and insert the words "of the various kinds called for by the proposal."

Same page, line 19, after the word "done" insert the words "during the preceding year."

Same page, line 20, strike out the word "character" and insert the words "various kinds"; also, strike out the words "contract during the preceding year" and insert the word "proposal."

Same page, line 23, insert the following "The printing board shall furnish all persons, desiring to propose or bid for the department printing, blanks for proposals or bids for such printing in the form following:

FORM OF PROPOSAL FOR PUBLIC PRINTING OTHER THAN LEGISLATIVE.

(Chapter 683, Laws of 1892.)

To the Honorable the Secretary of State and Comptroller:

..... (name of firm and place of business) propose to do the public printing payable by the state, other than legislative printing, for the state of New York, at the prices and on the conditions herein named, and agree to comply fully with the requirements of law relative to the said printing, and to perform such work in quantity, quality and manner set forth, described and provided in the advertisement or notice calling for proposals for said printing, to wit:

FOR CIRCULARS.

Size No. 0.— $4\frac{1}{4} \times 5\frac{1}{2}$ inches or under; on No. 1 paper, for 100 copies, exclusive of composition, at; each 100 copies additional, up to 1,000 copies, at; each 500 copies above 1,000, at

Size No. 1.— $5\frac{1}{2} \times 8\frac{1}{2}$ inches or under; on No. 1 paper, for 100 copies, exclusive of composition, at; each 100 copies additional, up to 1,000 copies, at; each 500 copies above 1,000, at

Size No. 1.— $5\frac{1}{2} \times 8\frac{1}{2}$ inches or under; on No. 2 paper, for 100 copies, exclusive of composition, at; each 100 copies additional, up to 1,000 copies, at; each 500 copies above 1,000, at

Size No. 2.— $8\frac{1}{2} \times 11$ inches or under; on No. 1 paper, for 100 copies, exclusive of composition, at; each 100 copies additional, up to 1,000 copies, at; each 500 copies above 1,000, at

Size No. 2.— $8\frac{1}{2}$ x11 inches or under; on No. 2 paper, for 100 copies, exclusive of composition, at; each 100 copies additional, up to 1,000 copies, at; each 500 copies above 1,000, at

Size No. 3.— $8\frac{1}{2}$ x14 inches or under; on No. 1 paper, for 100 copies, exclusive of composition, at; each 100 copies additional, up to 1,000 copies, at; each 500 copies above 1,000, at

Size No. 3.— $8\frac{1}{2}$ x14 inches or under; on No. 2 paper, for 100 copies, exclusive of composition, at; each 100 copies additional, up to 1,000 copies, at; each 500 copies above 1,000, at

Composition at.....per 1,000 ems extra on circulars, 8-point standard, measuring to edge of printed lines only.

FOR BLANKS.

Size No. 1.— $5\frac{1}{2}$ x $8\frac{1}{2}$ inches or under; on No. 1 paper, for 100 copies, exclusive of composition, at; each 100 copies additional, up to 1,000 copies, at; each 500 copies above 1,000, at

Size No. 1.— $5\frac{1}{2}$ x $8\frac{1}{2}$ inches or under; on No. 2 paper, for 100 copies, exclusive of composition, at; each 100 copies additional, up to 1,000 copies, at; each 500 copies above 1,000, at

Size No. 1.— $5\frac{1}{2}$ x $8\frac{1}{2}$ inches or under; on No. 3 paper, for 100 copies, exclusive of composition, at; each 100 copies additional, up to 1,000 copies, at; each 500 copies above 1,000, at

Size No. 2.— $8\frac{1}{2}$ x11 inches or under; on No. 1 paper, for 100 copies, exclusive of composition, at; each 100 copies additional, up to 1,000 copies, at; each 500 copies above 1,000, at

Size No. 2.— $8\frac{1}{2}$ x11 inches or under; on No. 2 paper, for 100 copies, exclusive of composition, at; each 100 copies additional, up to 1,000 copies, at; each 500 copies above 1,000, at

Size No. 2.— $8\frac{1}{2}$ x11 inches or under; on No. 3 paper, for 100 copies, exclusive of composition, at; each 100 copies additional, up to 1,000 copies, at; each 500 copies above 1,000, at

Size No. 3.— $8\frac{1}{2}$ x14 inches or under; on No. 1 paper, for 100 copies, exclusive of composition, at; each 100 copies additional, up to 1,000 copies, at; each 500 copies above 1,000, at

Size No. 3.— $8\frac{1}{2}$ x14 inches or under; on No. 2 paper, for 100 copies, exclusive of composition, at; each 100 copies additional, up to 1,000 copies, at; each 500 copies above 1,000, at

Size No. 3.— $8\frac{1}{2}$ x14 inches or under; on No. 3 paper, for 100 copies, exclusive of composition, at; each 100 copies additional, up to 1,000 copies, at; each 500 copies above 1,000, at

Size No. 3.— $8\frac{1}{2}$ x14 inches or under; on No. 4 parchment paper, per 100 copies, exclusive of composition, at.....; each 100 copies additional, up to 1,000 copies, at.....; each 500 copies above 1,000, at.....

Size No. 4.—17x28 inches or under; on No. 1 paper, for 100 copies, exclusive of composition, at.....; each 100 copies additional, up to 1,000 copies, at.....; each 500 copies above 1,000, at.....

Size No. 4.—17x28 inches or under; on No. 2 paper, for 100 copies, exclusive of composition, at.....; each 100 copies additional, up to 1,000 copies, at.....; each 500 copies above 1,000, at.....

Size No. 4.—17x28 inches or under; on No. 3 paper, for 100 copies, exclusive of composition, at.....; each 100 copies additional, up to 1,000 copies, at.....; each 500 copies above 1,000, at.....

Size No. 4.—17x28 inches or under; on No. 4 parchment paper, per 100 copies, exclusive of composition, at.....; each 100 copies additional, up to 1,000 copies, at.....; each 500 copies above 1,000, at.....

Size No. 5.—All sizes above 17x28 inches; on No. 1 paper, for 100 copies, exclusive of composition, at.....; each 100 copies additional, up to 1,000 copies, at.....; each 500 copies above 1,000, at.....

Size No. 5.—All sizes above 17x28 inches; on No. 2 paper, for 100 copies, exclusive of composition, at.....; each 100 copies additional, up to 1,000 copies, at.....; each 500 copies above 1,000, at.....

Size No. 5.—All sizes above 17x28 inches; on No. 3 paper, for 100 copies, exclusive of composition, at.....; each 100 copies additional, up to 1,000 copies, at.....; each 500 copies above 1,000, at.....

Size No. 5.—All sizes above 17x28 inches; on No. 4 parchment paper, for 100 copies, exclusive of composition, at.....; each 100 copies additional, up to 1,000 copies, at.....; each 500 copies above 1,000, at.....

Composition at per 1,000 ems extra for blanks, 12-point standard, measuring to edge of printed lines only.

FOR BOOKS OR PAMPHLETS.

Composition for each 1,000 ems, at.....

Paper, presswork, folding, gathering, collating, stitching and trimming, for each 100 copies of 8 pages, at.....

For each additional 100 copies of 8 pages, at.....

For composition and printing postal cards or stamped envelopes, each 100 copies on one side at.....

FOR ENVELOPES (per 1,000, plain or printed).

Fifty-pound or XX, No. 1 Rag.—No. 5, at.....; No. 6 $\frac{1}{4}$, at.....; No. 6 $\frac{3}{4}$, at.....; No. 9, at.....; No. 10, at.....; No. 11 or 12, at.....

Sixty-pound or XXX, No. 1 Rag.—No. 5, at.....; No. 6 $\frac{1}{4}$, at.....; No. 6 $\frac{3}{4}$, at.....; No. 9, at.....; No. 10, at.....; No. 11 or 12, at.....

Linen, No. 10 paper.—No. 5, at.....; No. 6 $\frac{1}{4}$, at.....; No. 6 $\frac{3}{4}$, at.....; No. 9, at.....; No. 10, at.....; No. 11 or 12, at.....

FOR ENVELOPES (per 1,000, lithographed).

Fifty-pound or XX, No. 1 Rag.—No. 5, at.....; No. 6 $\frac{1}{4}$, at.....; No. 6 $\frac{3}{4}$, at.....; No. 9, at.....; No. 10, at.....; No. 11 or 12, at.....

Sixty-pound or XXX, No. 1 Rag.—No. 5, at.....; No. 6 $\frac{1}{4}$, at.....; No. 6 $\frac{3}{4}$, at.....; No. 9, at.....; No. 10, at.....; No. 11 or 12, at.....

Linen, No. 10 paper.—No. 5, at.....; No. 6 $\frac{1}{4}$, at.....; No. 6 $\frac{3}{4}$, at.....; No. 9, at.....; No. 10, at.....; No. 11 or 12, at.....

FOR LETTER AND NOTE HEADINGS (printed from type).

For letter headings.—On No. 12 paper, first 500, at; each 500 additional, at; on No. 15 paper, first 500, at; each 500 additional, at

For note headings.—On No. 12 paper, first 500, at; each 500 additional, at; on No. 15 paper, first 500, at; each 500 additional, at

FOR LETTER AND NOTE HEADINGS (lithographed).

For letter headings.—On No. 12 paper, first 500, at; each 500 additional, at; on No. 15 paper, first 500, at; each 500 additional, at

For note headings.—On No. 12 paper, first 500, at; each 500 additional, at; on No. 15 paper, first 500, at; each 500 additional, at

The term “circular” under this contract shall be construed to mean any printed sheet containing any announcement, information, advertisement or other matter complete in itself and intended for public circulation or for special purposes only, which is done at one or more impressions; and one leaf, or two pages will count as a circular; i. e., two pages, one circular; four pages, two circulars, etc. Where rule and figures are set in three columns or more to a page, the composition may be charged at double price.

The term “blank” under this contract will be construed to mean a sheet of paper which is specially ruled on a ruling machine and printed, or printed only; a sheet not complete in itself but on which are left blank forms or spaces for the filling in of special items or information required; or it may be both ruled and printed, and one leaf or two pages will count as one blank; i. e., two pages, one blank; four pages, two blanks, et cetera. Where figures are set in four or more columns to a page the composition may be charged at double price.

The term “pamphlet” under this contract shall mean any number of printed pages that may be stitched and trimmed. Eight pages and over being a pamphlet when bound temporarily or permanently with or without paper covers, and is reckoned on a basis of 16 pages to a sheet, standard size, either 25x38 or 27x41. When a pamphlet is 24 pages to a sheet, 12 pages shall constitute a signature of 8 pages; and when 32 pages to a sheet, 16 pages shall constitute a signature of 8 pages, in reckoning the basis of compensation.

And we do further agree to do all work not specifically set forth in this contract at prices which shall not be above those current in New York or Albany.

Signed,
(Doing business at)

Dated,

I hereby guarantee that the above person will, if his bid be accepted, enter into a contract according to the terms thereof, and give the security required by law within ten days from the time he shall receive notice of the acceptance of his bid.

Dated,

I hereby certify that the above guarantor is a freeholder, and able to make good his guaranty.

..... County Judge.

Page 15, line 21, after the word "ninety-two" insert the words "as amended by chapter four hundred and seventy-seven of the laws of nineteen hundred."

Same page, same line, after the second "and" insert before the word "section" the words "so much of."

Same page, line 25, after the word "ninety-five" change period to comma and insert the words "as reads as follows: 'The state printers shall furnish to this duplicate department immediately after its printing, as many copies of each publication printed at state expense as the regents shall certify to be necessary to enable them to supply one copy to each library, which shall conform to the rules established by the regents as to preservation and making available for public reference, and shall be registered by the regents as properly entitled to such publication. In case the officer to whom the edition of any publication is to be delivered shall notify the state printers in writing, and before printing, that the edition provided will be insufficient for his use if the library copies are deducted, there shall be printed as many extra copies as he shall require not exceeding the number delivered for library use.'"

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Said bill as amended was then read the second time.

On motion of Mr. Fordyce, said bill was ordered reprinted and placed on the order of third reading and referred to the committee on revision.

Mr. Bennet offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on the judiciary be discharged

from the further consideration of the bill No. 2139, Int. No. 1493, entitled "An act to establish a law uniform with the laws of other States relative to divorce procedure and divorce from the bonds of marriage."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Said bill having been announced for a second reading.

Mr. Bennet moved to amend by substituting therefor the following bill:

AN ACT to amend the Code of Civil Procedure relative to divorce procedure.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Section seventeen hundred and fifty-six of the code of civil procedure is hereby amended by adding a new subdivision to be known as number five, to read as follows:

5. Providing, however, that no divorce shall be granted for any cause arising prior to the residence of the complainant or defendant in this state, which was not a ground for divorce in the state where the cause arose. No person shall be entitled to a divorce for any cause arising in this state, who has not had actual residence in this state for at least one year next before bringing suit for divorce, with a bona fide intention of making this state his or her permanent home. No person shall be entitled to a divorce for any cause arising out of this state unless the complainant or defendant shall have resided within this state for at least two years next before bringing suit for divorce, with a bona fide intention of making this state his or her permanent home. No person shall be entitled to a divorce unless the defendant shall have been personally served with process, if within this state, or if without this state, shall have had personal notice duly proved and appearing of record, or shall have entered an appearance in the case; but if it shall appear to the satisfaction of the court that the plaintiff does not know the address nor the residence of the defendant and has not been able to ascertain either, after reasonable and due inquiry and search, continued for six months after suit brought, the court or the judge thereof may authorize service of the summons by publication. No divorce shall be granted solely upon default nor solely upon admissions by the pleadings.

§ 2. Section seventeen hundred and sixty-one of the code of civil procedure is hereby amended to read as follows:

§ 1761. Marriage after divorce for adultery.—[Where a marriage is dissolved as prescribed in this article, the plaintiff may marry again, during the life time of the defendant; but a defendant, adjudged to be guilty of adultery, shall not marry again until the death of the plaintiff, but this section does not prevent the remarriage of the parties to the action.] After divorce either party may marry again, but in cases where notice has been given by publication only, and the defendant has not appeared, no decree or judgment for divorce shall become final or operative until six months after hearing and decision.

§ 3. This act shall take effect September first, nineteen hundred and one.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

On motion of Mr. Bennet said bill as amended was ordered reprinted and recommitted to the committee on the judiciary.

The Senate returned the bill (No. 1163, Senate reprint No. 1400) entitled "An act to amend section 107 of title 2 of chapter 3 of part 4 of the revised statutes relating to State prisons, as amended by chapter 623 of the Laws of 1897 relative to the powers of the board of classification" (Int. No. 970), with a message that they have concurred in the passage of the same, with the following amendment:

Page 2, line 2, after the word "charitable" strike out the word "and" and insert the words "institutions managed and controlled by the state in the."

Mr. O'Brien moved to concur in the Senate amendment.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES	92 }
{ NOES	00 }

Those who voted in the affirmative, were

Adams	Davis	Harris	McMillan	Rodenbeck
Adler	Delaney	Hatch	McQuade	Ross
Ahern	Dempsey	Hawkins	Morgan	Ruehl

Allds	Dickinson	Hitchcock	Orr	Sanders
Apgar	Doughty	Holsten	O'Brien	Scanlon
Axtell	Egan	Hyman	O'Malley	Seymour
Babcock	Ellis	Juengst	Orr	Smith J E
Baum	Fish	Kaiser	Phillips	Smith J T
Bedell	Fisher	Keenan	Phipps	Smith S W
Bradley	Fitzgerald	Kelly	Platt	Snyder
Brooks	Fitzpatrick	Kelsey	Poth	Sullivan
Bryan	Fordyce	Landon	Prince	Swift
Burnett	Frisbie	Leggett	Rainey	Traub
Cadin	Galbraith	Lewis M E	Reilley	Ulmann
Cook	Gardner C J	Lynn	Reynolds	Vacheron
Coons	Graeff	Mansfield	Richter	Waite
Cotton	Hallock	Marson	Rierdon	Weber
Coughtry	Hammond	McInerney	Robinson	Wilson H
Darrison	Harburger			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the Senate amendments thereto.

The Senate returned the bill (No. 1608, Senate reprint No. 1292) entitled "An act to provide for the repairing and improving of the harbor and breakwater, in Seneca lake, at Watkins, on the Chemung canal, and making appropriations therefor, by reappropriating the unexpended moneys appropriated by chapter 697 of the Laws of 1899" (Int. No. 191), with a message that they have concurred in the passage of the same, with the following amendments:

Page 2, line 2, after the word "be" insert the words "approved and"; also, insert a comma after the word "Watkins."

Same page, line 3, after the word "works" insert a comma.

Mr. Nye moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{	AYES	110	{
	NOES	00	

Those who voted in the affirmative, were

Adams	Dooling	Juengst	Orr	Sherer
Adler	Duross	Kaiser	Phillips	Smith A R
Ahern	Dusinbery	Keenan	Phipps	Smith J E
Allston	Ellis	Kelly	Plank	Smith J L
Apgar	Fancher	Kelsey	Poth	Smith J T
Babcock	Fisher	Knipp	Price	Smith S W
Baum	Fitzgerald	Landon	Prince	Smith W H
Bedell	Fordyce	Lewis M E	Rainey	Snyder
Blackwell	Galbraith	Lewis T D	Remsen	Stevens
Bennet	Gardiner R	Lynn	Richter	Sullivan
Brill	Gardner C J	Mansfield	Rider	Swarts
Brooks	Graeff	Marson	Rierdon	Swift
Bryan	Hallock	Mathews	Robinson	Traub
Burnett	Halpin	McInerney	Rodenbeck	Treat
Cadin	Hanford	McKeown	Rogers	Ulmann
Cook	Hasenflug	McMillan	Ross	Vacheron
Coons	Harburger	McQuade	Ruehl	Van Name
Cotton	Hatch	Meister	Salyerds	Waite
Daly	Henry	Morgan	Sanders	Walrath
Davis	Hitchcock	Nye	Scanlon	Weber
Delaney	Honeck	O'Connell	Schneider	Weekes
Dickey	Irwin	O'Malley	Seymour	Wilson H

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the Senate amendments.

The Senate returned the bill (No. 2099, Senate reprint No. 1448) entitled "An act to amend chapter 770 of the Laws of 1895, entitled 'An act to provide for a permanent establishment for the cure and prevention of hydrophobia,' relative to the payment for services" (Int. No. 1230), with a message that they have concurred in the passage of the same, with the following amendment:

Page 2, line 15, after the word "six" strike out the period and add the words " , at a rate not exceeding one hundred dollars a patient."

Mr. R. Gardiner moved to concur in the Senate amendment.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the

desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 97 }
 { NOES 60 }

Those who voted in the affirmative, were

Adams	Dickey	Hawkins	McQuade	Sanders
Ahern	Dickinson	Hitchcock	Meister	Schneider
Allds	Doughty	Holsten	Nye	Seymour
Apgar	Dusinbery	Hyman	O'Brien	Smith A R
Babcock	Ellis	Irwin	O'Malley	Smith J E
Baum	Everett	Kaiser	Orr	Smith J T
Bell	Fish	Keenan	Phillips	Smith S W
Blackwell	Fisher	Kelly	Phipps	Smith W H
Bradley	Fitzgerald	Kelsey	Platt	Snyder
Brooks	Fitzpatrick	Knipp	Poth	Sullivan
Bryan	Fowler	Landon	Price	Swartz
Burns	Frisbie	Lewis M E	Rainey	Thorn
Cadin	Galbraith	Lewis T D	Richter	Traub
Cook	Gardner C J	Lynn	Rider	Ulmann
Coons	Graeff	Mansfield	Roberts	Vacheron
Cotton	Hallock	Marson	Robinson	Van Name
Daly	Halpin	Mathews	Rogers	Weber
Darrison	Hanford	McKeown	Ruehl	Weekes
Davis	Harris	McMillan	Salyerds	Wilson H
Delaney	Hasenflug			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the Senate amendments.

The Senate returned the bill (No. 1560, Senate reprint No. 1327) entitled "An act to amend the Town Law, relative to the compensation of town officers" (Int. No. 657), with a message that they have concurred in the passage of the same, with the following amendment:

Page 2, line 5, after the comma insert the words "and in the county of Nassau assessors and commissioners of highways, whose salary is not now fixed by law, shall be entitled to three dollars per day."

Mr. Irwin moved to concur in the Senate amendment.

Mr. Speaker put the question whether the House would concur in said amendment, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 97 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Daly	Hanford	McInerney	Rogers
Adler	Darrison	Harris	McKeown	Ruehl
Ahern	DeGraw	Hasenflug	McQuade	Salyerds
Allston	Dempsey	Hawkins	Morgan	Scanlon
Axtell	Dickinson	Hitchcock	Nye	Schneider
Babcock	Dooling	Honeck	O'Connell	Seymour
Baker	Duross	Hyman	Orr	Smith A R
Baum	Dusinbery	Juengst	Phillips	Smith J L
Bedell	Ellis	Kaiser	Plank	Smith J T
Bennet	Everett	Keenan	Platt	Smith W H
Blackwell	Fish	Kelly	Poth	Snyder
Bradley	Fitzgerald	Kelsey	Price	Sullivan
Brooks	Fitzpatrick	Landon	Rainey	Swift
Bruckner	Fowler	Leggett	Remsen	Thorn
Burnett	Galbraith	Lewis M E	Reynolds	Treat
Cadin	Gardiner R	Lynn	Rider	Vacheron
Conger	Geoghan	Mains	Rierdon	Waite
Cooley	Griffith	Mansfield	Robinson	Walrath
Costello	Hallock	Marson	Rodenbeck	Weekes
Cotton	Hammond			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the Senate amendments.

The Senate returned the bill (No. 1689, Senate reprint No. 1329) entitled "An act to amend the Highway Law, relative to the inspection of highways by commissioners of highways, and the reports of such commissioners and of the overseers of highways" (Int. No. 1260), with a message that they have concurred in the passage of the same, with the following amendment:

Page 2, line 1, after the word "which" strike out the words "in his opinion."

Mr. Irwin moved to concur in the Senate amendment.

Mr. Speaker put the question whether the House would concur in said amendment, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{	AYES	98	{
{	NOES	00	{

Those who voted in the affirmative, were

Adams	Daly	Hawkins	Meister	Ross
Adler	Davis	Hitchcock	Morgan	Salyerds
Ahern	Delaney	Honeck	Nye	Sanders
Allds	Dempsey	Hyman	O'Brien	Schneider
Apgar	Dickey	Juengst	O'Malley	Sherer
Axtell	Dooling	Kaiser	Orr	Smith J E
Baker	Duross	Keenan	Phillips	Smith J T
Baum	Dusinbery	Kelly	Phipps	Smith S W
Bell	Ellis	Kelsey	Plank	Smith W H
Bennet	Fish	Knipp	Platt	Stevens
Bradley	Fitzgerald	Landon	Poth	Sullivan
Brill	Fordyce	Leggett	Prince	Swift
Bruckner	Frisbie	Lewis M E	Rainey	Thorn
Bryan	Gardner C J	Lynn	Remsen	Treat
Burns	Geoghan	Mains	Reynolds	Vacheron
Cadin	Griffith	Mansfield	Richter	Van Name
Cook	Halpin	Marson	Rierdon	Waite
Cooley	Hanford	McInerney	Robinson	Weber
Costello	Harris	McKeown	Richter	Wilson H
Cotton	Hatch	McQuade		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the Senate amendment.

A message was received from the Senate, in the words following:

IN SENATE, April 3, 1901.

Pursuant to concurrent resolution of the Senate and Assembly, the Governor returned the Senate bill (No. 380) entitled "An act to amend an act, entitled 'An act to amend chapter 378 of the Laws of 1897, entitled An act to unite into one municipality, under the corporate name of the city of New York, the

various communities lying in and about New York harbor, including the city and county of New York, the city of Brooklyn and the county of Kings, the county of Richmond and part of the county of Queens, and to provide for the government thereof,' in relation to clerk to sign warrants" (Rec. No. 28.)

The vote upon the final passage of said bill having been reconsidered, on motion of Mr. Stranahan, and by unanimous consent, the same was amended as follows:

Page 2, line 11, after the word "comptroller" insert the words "and for a period of time to be designated in said notice."

Same page, line 13, before the word "except" insert the words "during the absence by illness or otherwise."

Said bill as amended, was reprinted, re-engrossed, and having been upon the desks of the members three legislative days, was passed and ordered sent to the Assembly for concurrence.

By order of the Senate,

JAMES S. WHIPPLE,
Clerk.

Mr. Fitzgerald moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 99 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Daly	Hanford	McInerney	Scanlon
Adler	Darrison	Harburger	McMillan	Seymour
Ahern	DeGraw	Hasenflug	McQuade	Smith A R
Allds	Dempsey	Hawkins	Meister	Smith J E
Apgar	Dickey	Henry	Nye	Smith J T
Axtell	Dooling	Holsten	O'Brien	Smith S W
Babcock	Duross	Hyman	O'Malley	Snyder
Baker	Egan	Juengst	Orr	Stevens
Bedell	Everett	Kaiser	Patton	Sullivan
Bell	Fancher	Keenan	Phipps	Thorn
Blackwell	Fish	Kelly	Platt	Traub
Brill	Fisher	Kelsey	Poth	Treat
Bruckner	Fitzgerald	Landon	Prince	Ulmann
Bryan	Fitzpatrick	Leggett	Reilley	Vacheron

Burns	Fordyce	Lewis M E	Reynolds	Van Name
Conger	Frisbie	Lynn	Rider	Waite
Cook	Gardiner R	Mains	Roberts	Walrath
Coons	Gardner C J	Mansfield	Rodenbeck	Weekes
Costello	Geoghan	Marson	Ross	Wilson H
Cotton	Halpin	Mathews	Sal yerds	

Mr. Speaker put the question whether the House would agree to the final passage of said bill as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 108 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Costello	Hallock	McKeown	Robinson
Adler	Cotton	Halpin	McMillan	Rodenbeck
Ahern	Coughtry	Hammond	McQuade	Rogers
Allds	Darrison	Harburger	Morgan	Ruehl
Allston	Davis	Hasenflug	O'Brien	Sal yerds
Apgar	DeGraw	Hatch	O'Connell	Scanlon
Axtell	Delaney	Henry	O'Malley	Schneider
Babcock	Doughty	Hitchcock	Patton	Sherer
Baker	Dickinson	Honeck	Phillips	Smith J E
Baum	Dooling	Irwin	Phipps	Smith J L
Bell	Duross	Juengst	Plank	Smith S W
Bennet	Dusinbery	Kaiser	Platt	Snyder
Blackwell	Egan	Keenan	Price	Stevens
Bradley	Ellis	Kelly	Prince	Swarts
Brill	Everett	Kelsey	Rainey	Thorn
Brooks	Fish	Knipp	Reilley	Treat
Bruckner	Fisher	Landon	Remsen	Vacheron
Burnett	Fitzgerald	Lewis M E	Richter	Waite
Burns	Fitzpatrick	Lynn	Rider	Weber
Conger	Frisbie	Mains	Rierdon	Weekes
Cook	Galbraith	Marson	Roberts	Wilson H
Cooley	Geoghan	Mathews		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have reconsidered their vote on the final passage of said bill and as amended have again passed the same.

The Senate returned the bill (No. 1237) entitled "An act to amend the Greater New York charter relative to the assessment

and taxation of lands used as reservoirs, etc." (Int. No. 306), with a message that said bill was again duly passed, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, the President stating the question to be, "Shall this bill pass, notwithstanding the objection of the mayor of the city of New York thereto?"

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the bill (No. 1788) entitled "An act to provide for the acquisition by the city of New York of a plot of land in the Twelfth ward of the borough of Manhattan of said city and the erection thereon of a building for court and other public purposes" (Int. No. 1309), with a message that they have concurred in the passage of the same, without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

The Senate returned the concurrent resolution providing for final adjournment of the Legislature on April 23, 1901, with a message that they had concurred in the passage of the same, without amendment.

Mr. O'Brien offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill No. 1444, entitled "An act to amend the Tax Law in regard to taxation of State lands in towns of Dannemora and Altona, in Clinton county" (Int. No. 1136), for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, Assembly bill No. 1444, entitled "An act to amend the Tax Law in regard to taxation of State lands in towns of Dannemora and Altona, in Clinton county" (Int. No. 1136), with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

A communication from the Governor, was received and read, in the words following:

STATE OF NEW YORK—EXECUTIVE CHAMBER,
ALBANY, *April 12, 1901.*

To the Assembly:

Pursuant to concurrent resolution, of the Senate and Assembly, herewith is returned for amendment Assembly bill No. 1444, entitled "An act to amend the Tax Law in regard to taxation of State lands in towns of Dannemora and Altona, in Clinton county" (Int. No. 1136).

BENJAMIN B. ODELL, JR.,
Governor.

Mr. Mains offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill No. 1214, entitled "An act to amend chapter 182 of the Laws of 1892, entitled 'An act to incorporate the city of Mount Vernon,' relative to ward boundaries" (Int. No. 999), for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, Assembly bill No. 1214, entitled "An act to amend chapter 182 of the Laws of 1892, entitled 'An act to incorporate the city of Mount Vernon,' relative to ward boundaries" (Int. No. 999), with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

On request of Mr. Marson, the bill (No. 2442) entitled "An act to amend chapter 25 of the Laws of 1870, entitled 'An act to incorporate the city of Rome,' relating to assessors, their duties and powers" (Int. No. 1635), was referred to the committee on rules, for the purpose of making said bill a special order on third reading.

On request of Mr. Allds, Senate bill (No. 2510) entitled "An act to provide for the representation of the State of New York at the

South Carolina, Interstate and West Indian Exposition at Charleston, S. C., and making an appropriation therefor " (Rec. No. 273), was referred to the committee on rules, for the purpose of making said bill a special order on second reading.

On request of Mr. Allds, the bill (No. 2369) entitled "An act to amend section 2 of chapter 341 of the Laws of 1895, in relation to the literature fund to be distributed to academic schools " (Int. No. 1598), was referred to the committee on rules, for the purpose of making said bill a special order on third reading.

On request of Mr. Reynolds, the bill (No. 2439) entitled "An act to provide for the payment and assessment of the cost of certain local improvements in the city of Rensselaer " (Int. No. 1632), was referred to the committee on rules, for the purpose of making said bill a special order on third reading.

On request of Mr. Seymour, the bill (No. 1543) entitled "An act to amend the Real Property Law, relating to the descent of real property " (Int. No. 637), was referred to the committee on rules, for the purpose of making the said bill a special order on third reading.

On request of Mr. Traub, the bill (No. 2402) entitled "An act regulating tolls to be charged by turnpike, plank road or toll road companies exercising corporate franchises wholly or partly within the county of Onondaga for automobile trucks or carriages drawn or propelled over their carriage roads " (Int. No. 1612), was referred to the committee on rules, for the purpose of making said bill a special order on third reading.

On request of Mr. Hitchcock, the bill (No. 2499) entitled "An act authorizing John J. Cunningham and Campbell W. Adams to construct and maintain a dam across the Hudson river in Warren county " (Int. No. 1622), was referred to the committee on rules, for the purpose of making said bill a special order on second and third reading.

On request of Mr. Fowler, the bill (No. 2269) entitled "An act to amend the Forest, Fish and Game Law, in relation to penalties for unlawful taking or interfering with Antwerp or homing pigeons " (Int. No. 1547), was referred to the committee on rules, for the purpose of making said bill a special order on third reading.

On request of Mr. Henry, the bill (No. 2538) entitled "An act to amend the Agricultural Law, relative to adulterations of food "

(Int. No. 1583), was referred to the committee on rules, for the purpose of making said bill a special order on third reading.

On request of Mr. Cotton, the bill (No. 2446) entitled "An act to amend the proceedings incorporating the Long Island Baptist Association" (Int. No. 1639), was referred to the committee on rules, for the purpose of making said bill a special order on third reading.

On request of Mr. Fowler, the bill (No. 2381) entitled "An act to amend chapter 448 of the Laws of 1900, entitled 'An act to provide for the drainage of the Conewango creek in the county of Chautauqua and making an appropriation and reappropriation therefor'" (Int. No. 1090), was referred to the committee on rules, for the purpose of making said bill a special order on third reading.

On request of Mr. Graiff, the bill (No. 2525) entitled "An act to make the office of sheriff of Essex county a salaried office, in part, and to regulate the management thereof" (Rec. No. 383), was referred to the committee on rules, for the purpose of making said bill a special order on third reading.

On request of Mr. O'Brien, the bill (No. 2280) entitled "An act to legalize the official acts of William L. Riley as justice of the peace of the town of Chazy, county of Clinton" (Int. No. 1558), was referred to the committee on rules, for the purpose of making said bill a special order on third reading.

On request of Mr. Cooley, the bill (No. 2531) entitled "An act to amend chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' relating to Hellgate pilots" (Int. No. 1526), was referred to the committee on rules, for the purpose of making said bill a special order on second reading.

On request of Mr. Cooley, the bill (No. 2341) entitled "An act to amend the Election Law relative to independent nominations" (Int. No. 62), was referred to the committee on rules, for the purpose of making said bill a special order on third reading.

On request of Mr. Stevens, the bill (No. 2423) entitled "An act to exempt from taxation certain lands, premises and property in Franklin county, owned by the Sisters of Mercy of the diocese of Ogdensburg" (Int. No. 1621), was referred to the committee on

rules, for the purpose of making said bill a special order on third reading.

On request of Mr. G. C. Kelly, the bill (No. 2449) entitled "An act to amend chapter 312 of the Laws of 1898, entitled 'An act increasing the jurisdiction of the City Court of Albany and relative to a jury list in said court and regulating the practice therein,' as amended by chapter 590 of the Laws of 1899" (Int. No. 1642), was referred to the committee on rules, for the purpose of making said bill a special order on second and third reading.

On request of Mr. Lynn, the bill (No. 2321) entitled "An act to amend the Railroad Law in relation to the acquisition of property by street surface railroad corporations" (Int. No. 1575), was referred to the committee on rules, for the purpose of making said bill a special order on third reading.

On request of Mr. Bedell, the bill (No. 2490) entitled "An act in relation to the Fallsburgh and Monticello Railroad Company" (Int. No. 1549), was referred to the committee on rules, for the purpose of making said bill a special order on second and third reading.

On request of Mr. Bedell, the bill (No. 2490) entitled "An act to amend the Labor Law, in relation to the examination and licensing of steam engineers, and establishing a bureau in the office of the Superintendent of Public Works" (Int. No. 1653), was referred to the committee on rules, for the purpose of making said bill a special order on second and third reading.

On request of Mr. Marson, the bill (No. 2447) entitled "An act to ratify and legalize the franchise and agreement granted and made by and between the common council of the city of Rome, N. Y., and the Rome City Street Railway Company" (Int. No. 1640), was referred to the committee on rules, for the purpose of making the bill a special order on third reading.

On request of Mr. S. W. Smith, the bill (No. 2458) entitled "An act to amend chapter 249 of the Laws of 1893, entitled 'An act to incorporate the Pythian Home,' in relation to the disposition of the fund" (Int. No. 1192), was referred to the committee on rules, for the purpose of making said bill a special order on third reading.

On request of Mr. Henry, the bill (No. 2445) entitled "An act to expedite requisitions for certifying copies of instruments of

record in the office of the registrar of the county of New York " (Int. No. 1638), was referred to the committee on rules, for the purpose of making said bill a special order on third reading.

On request of Mr. S. W. Smith, the bill (No. 2399) entitled "An act to amend section 1785 of the Code of Civil Procedure, in relation to actions to procure a judgment dissolving a corporation, created by or under the laws of the State, and forfeiting its corporate rights, privileges and franchises in certain cases " (Int. No. 1610), was referred to the committee on rules, for the purpose of making said bill a special order on third reading.

On request of Mr. Reilley, the bill (No. 2496) entitled "An act authorizing the board of estimate and apportionment of the city of New York to audit and allow the claims of John R. Powers, of said city, for services rendered as dockmaster of the department of docks of said city, and to provide for the payment of such claim " (Int. No. 1659), was referred to the committee on rules, for the purpose of making said bill a special order on second and third reading.

On request of Mr. M. E. Lewis, the bill (No. 2466) entitled "An act to amend chapter 14 of the Laws of 1880, entitled 'An act to further amend chapter 143 of the Laws of 1861, entitled "An act to amend and consolidate the several acts in relation to the charter of the city of Rochester " and to consolidate therewith the several acts in relation to the charter of said city,' and to permit the common council of said city to grant rebates of interest and penalties on unpaid taxes and local assessments " (Int. No. 1646), was referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

On request of Mr. Apgar, the bill (No. 2328) entitled "An act to empower the county of Westchester to pay to the Westchester County Society for the prevention of cruelty to children, an amount not to exceed one thousand dollars annually for the purposes for which said society was organized " (Int. No. 1582), was referred to the committee on rules, for the purpose of making said bill a special order on third reading.

On request of Mr. Griffith, the bill (No. 2465) entitled "An act to amend subsection 5 of section 34 of the University Law, in relation to the powers of trustees of institutions in the University " (Int. No. 1645), was referred to the committee on rules, for the

purpose of making said bill a special order on second and third reading.

On request of Mr. G. W. Doughty, the bill (No. 2498) entitled "An act to provide for the payment of the claims of the Gamewell Fire Alarm Telegraph Company for furnishing fire alarm signal boxes and certain other materials and labor, to the village of Far Rockaway" (Int. No. 1661), was referred to the committee on rules, for the purpose of making said bill a special order on second and third reading.

On request of Mr. J. E. Smith, the bill (No. 2195) entitled "An act to authorize the fire commissioner of the city of New York to grant certificates of discharge to volunteer firemen formerly members of the volunteer fire department of the city of New York" (Int. No. 1517), was referred to the committee on rules, for the purpose of making said bill a special order on second and third reading for Tuesday, April 16, 1901.

On request of Mr. Henry, the bill (No. 2526) entitled "An act to amend chapter 986 of the Laws of 1896, entitled 'An act to incorporate the Patent and Copyright Protective Association of New York,' as amended by chapter 496 of the Laws of 1898" (Int. No. 1296), was referred to the committee on rules, for the purpose of making said bill a special order on third reading.

On request of Mr. Ross, the bill (No. 2441) entitled "An act to amend chapter 227 of the Laws of 1898, entitled 'An act to create a public improvement commission in and for the city of Cohoes, and define its powers and duties,' in relation to street pavements, condemnation proceedings and assessments" (Int. No. 1634), was referred to the committee on rules, for the purpose of making said bill a special order on third reading.

On request of Mr. Remsen, the bill (No. 2503) entitled "An act to appropriate annually the sum of five thousand dollars to be made by the board of estimate and apportionment of the city of New York in its discretion for the benefit of the benevolent funds of the former volunteer fire departments of the former towns, Flatbush, New Utrecht, Gravesend and Flatlands" (Int. No. 1545), was referred to the committee on rules, for the purpose of making said bill a special order on third reading.

On motion of Mr. Allds, the House adjourned.

MONDAY, APRIL 15, 1901.

The House met pursuant to adjournment.

Prayer by Rev. Herbert C. Hinds.

On motion of Mr. Allds, the reading of the journal of yesterday was dispensed with and the same was approved.

Mr. Speaker, from the committee on rules, reported the following recommendations:

Amend rule 9 as follows:

In the last paragraph of said rule after the words "in the reprint of the bill" strike out the semicolon and insert a period.

Also strike out the following: "it shall be the duty of the speaker to direct the clerk to cause any bill appearing on the calendar and not complying with this provision to be immediately amended and reprinted so as to comply with the same, and when reprinted said bill shall be restored to its place on the calendar" and insert in place thereof a new paragraph to read as follows:

"Whenever it shall be called to the attention of the speaker that any bill introduced is not drawn or printed in accordance with the provisions of this rule, the speaker may direct the clerk to cause such bill to be immediately amended and reprinted so as to comply therewith, and when reprinted said bill shall be restored to the place it held when such direction was given."

Amend rule 11 after the words "and the amendments proposed by the committee", (6th line page 340 of the blue book) by inserting these words: "if amending existing law."

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative.

Mr. Speaker, from the committee on rules, reported the following:

Resolved, That hereafter no member shall speak upon a question more than five minutes except by unanimous consent.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Harburger introduced a bill entitled "An act to create the bureau of municipal statistics and records for the city of New York" (Int. No. 1675), which was read the first time and referred to the committee on affairs of cities.

Mr. Leggett introduced a bill entitled "An act to amend section 154 of chapter 143 of the Laws of 1892, entitled 'An act to incorporate the city of Niagara Falls,' and the acts amendatory thereof and supplemental thereto, relative to the issuing of bonds by the board of education and their payment" (Int. No. 1676), which was read the first time and referred to the committee on affairs of cities.

Mr. Patton introduced a bill entitled "An act for the relief of persons, firms and corporations who rendered services and furnished labor or material which was used in constructing the state armory in the village of Tonawanda, Erie county, New York" (Int. No. 1677), which was read the first time and referred to the committee on claims.

Mr. Van Name introduced a bill entitled "An act to prevent fraudulent claims against the estates of deceased persons" (Int. No. 1678), which was read the first time and referred to the committee on the judiciary.

Mr. M. E. Lewis introduced a bill entitled "An act to authorize and empower the city of Rochester to enter into a contract with the Rochester Railway Company, adjusting and settling all differences between the city and said railway company as to the amount due and owing from the company to the city for certain payments heretofore made by the city pursuant to section 98 of the Railroad Law, and providing for the payment of the same" (Int. No. 1679), which was read the first time and referred to the committee on affairs of cities.

Mr. Speaker, from the committee on rules, to which was referred the bill (No. 1286) entitled "An act to amend sections 1, 5 and 6 of chapter 360 of the Laws of 1897, entitled 'An act to incorporate the city of Geneva,' relative to change of boundaries," (Int. No. 1039), reported in favor of the passage of the same with the following amendments, and that the same, when reprinted, be made a special order on second and third reading immediately after the consideration of the special orders on third reading heretofore reported:

Page 2, lines 2, 3, 4 and 5, strike out all after the word "point," in line 2, up to and including the bracket in line 5.

Same page, line 7, strike out bracket.

Page 3, line 4, strike out the word "twenty-four" and insert the word "twenty-eight."

Same page, lines 4, 5, 6 and 7, strike out all after the word "to" in line 4, up to and including the bracket in line 7.

Same page, line 8, strike out all brackets.

Same page, strike out all of lines 10 to 26 inclusive.

Page 4, strike out all of lines 1 to 19 inclusive.

Same page, line 20, strike out the figure "3" and insert the figure "2."

Page 5, line 2, strike out the comma and insert a period.

Same page, strike out all of lines 3 to 11 inclusive.

Same page, line 12, strike out the figure "4" and insert the figure "3."

Which report was agreed to, and said amended bill ordered reprinted, and when reprinted made a special order on second and third reading immediately after the consideration of the special orders on third reading heretofore reported.

Mr. Speaker, from the committee on rules, to which was referred the following entitled bills, reported in favor of the passage of the same, without amendment, and that the same be made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported:

"An act to amend chapter 640 of the Laws of 1900, entitled 'An act to amend chapter 152 of the Laws of 1899, entitled An act in relation to the use of bicycles on sidepaths, for licensing bicycles, for the appointment of sidepath commissioners, and to provide for the construction, maintenance, regulation, preservation and shading of sidepaths, by defining the powers and duties of said commissioners, and to repeal certain acts relative thereto,' by removing the special provision in regard to the license fee in Monroe county, and providing that the number of the year shall appear on the license." (No. 2141, Int. No. 1495.)

"An act to amend chapter 568 of the Laws of 1890, entitled 'An act in relation to highways, constituting chapter 19 of the general laws,' in relation to the application of the money system of highway improvement." (No. 2437, Int. No. 1630.)

"An act to amend chapter 14 of the Laws of 1880, entitled 'An act to further amend chapter 143 of the Laws of 1861, entitled An act to amend and consolidate the several acts in relation to

the charter of the city of Rochester, and to consolidate therewith the several acts in relation to the charter of said city,' and to permit the common council of said city to grant rebates of interest and penalties on unpaid taxes and local assessments." (No. 2466, Int. No. 1646.)

"An act to provide for repairing and reconstructing the banks and channels of Glen creek, in the village of Watkins, and making an appropriation therefor." (No. 80, Int. No. 80.)

Which report was agreed to, and said bills ordered made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported.

Mr. Speaker, from the committee on rules, to which was referred the following entitled bills, reported in favor of the passage of the same, without amendment, and that the same be made special orders on third reading immediately:

"An act to amend an act entitled 'An act enlarging and modifying the powers of town officers in towns within counties having over 300,000 inhabitants, and providing for public improvements within such towns, excepting the counties of New York and Kings,' being chapter 816 of the Laws of 1895." (No. 2450, Int. No. 1643.)

"An act for the relief of the towns of Newfane, Wilson and Lewiston, and to enable each of said towns to refund and adjust its indebtedness and to issue bonds therefor." (No. 2121, Int. No. 1486.)

"An act to amend chapter 14 of the Laws of 1880, entitled 'An act to further amend chapter 143 of the Laws of 1861, entitled An act to amend and consolidate the several acts in relation to the charter of the city of Rochester, and to consolidate therewith the several acts in relation to the charter of said city,' relative to expenses incident to improvements." (No. 2468, Int. No. 1648.)

Senate, "An act to classify and grade, and to establish rates of compensation for clerks and other employes in the service of the State." (No. 631, Assembly reprint No. 2313, Rec. No. 119.)

"An act to provide for the construction of a new iron bridge over the Oswego canal at North Salina street in the city of Syra-

cuse, and making an appropriation therefor." (No. 2372, Int. No. 1601.)

"An act to amend chapter 290 of the Laws of 1892, entitled 'An act to authorize the formation of a corporation by benevolent orders for the acquisition of real property and the erection and maintenance of buildings for the use of such orders,' relative to the Foresters of America." (No. 2241, Int. No. 1531.)

"An act to make an appropriation for the payment of the judgments of the Court of Claims, in claims other than those on account of the canals of this State." (No. 2291, Int. No. 1564.)

"An act to make an appropriation for the payment of the judgments of the Court of Claims, in claims arising on account of the canals of this State." (No. 2292, Int. No. 1565.)

"An act empowering and directing the Superintendent of Public Works to remove the obstruction, gravel, sand, etc., from the bed of Bond's creek south of Dunham's waste-weir to Fort Edward, and to remove obstructions, gravel, sand, etc., from Wood creek from Fort Ann to plank road leading west from Dunham's basin, Washington county, N. Y., where needed." (No. 2117, Int. No. 1471.)

"An act to amend the Code of Civil Procedure, relating to depositions." (No. 2217, Int. No. 636.)

"An act to amend chapter 55 of the Laws of 1901, entitled 'An act to provide for rebuilding and equipping the State normal school at Fredonia, and making an appropriation therefor,' by authorizing the acquisition of additional land for the site of such schools." (No. 2357, Int. No. 1586.)

"An act to amend the Forest, Fish and Game Laws, to prevent fishing in the waters of Whaley pond in Dutchess county from January 1st to May 31st." (No. 2146, Int. No. 1500.)

"An act authorizing the village of Ellenville, in the county of Ulster, to raise money by issuing bonds for the establishment of a gas or electric light plant, for said village." (No. 2344, Int. No. 1300.)

"An act to enable the county of Erie and the town of Grand Island to construct a bridge from the town of Grand Island across the east branch of the Niagara river to the main land, and to issue bonds therefor." (No. 2384, Int. No. 1516.)

"An act authorizing an investigation as to the expediency and cost of establishing a municipal electric lighting plant in and for the city of Syracuse." (No. 2345, Int. No. 1364.)

"An act to authorize the abandonment of the Ohio Basin Slip in the city of Buffalo, between the south line of Elk street and the Main and Hamburg street canal, the abatement of the nuisance created thereby and vesting the title and ownership to the lands and premises included therein in said city." (No. 1733, Int. No. 1294.)

"An act to provide for the construction of a vertical wall on the south side of the Erie canal, from the west side of bridge No. 131 of section 10 of the Erie canal, and making an appropriation therefor." (No. 2378, Int. No. 320.)

"An act to amend the Insanity Law, relative to the care and support of indigent insane." (No. 2348, Int. No. 1431.)

"An act to amend chapter 143 of the Laws of 1892, entitled 'An act to incorporate the city of Niagara Falls,' and the acts amendatory thereof in reference to the terms of its officers." (No. 2455, Int. No. 1417.)

Senate, "An act to amend the Penal Code, relating to the sentencing of convicts to State prisons." (No. 2414, Assembly reprint No. 982, Rec. No. 255.)

"An act to extend and regulate liability of employers to employes and others for injuries suffered by them." (No. 2375, Int. No. 38.)

"An act to amend the Greater New York charter, relative to offensive trades in the several boroughs of the city of New York and to provide compensation for the persons conducting such trades upon the discontinuing of the same." (No. 2452, Int. No. 971.)

"An act to amend section 56 of the Code of Criminal Procedure, relating to jurisdiction of courts of special sessions." (No. 2415, Int. No. 1405.)

"An act to amend chapter 360 of the Laws of 1898, entitled 'An act to amend chapter 413 of the Laws of 1897, entitled An act relating to State finance, constituting chapter 10 of the general laws, and known as the State Finance Law, in reference to the education fund,' in relation to the compensation of loan commissioners in connection with the sale of land acquired by foreclosure." (No. 2377, Int. No. 228.)

"An act to amend chapter 385 of the Laws of 1862, entitled 'An act to amend and consolidate the several acts relative to the city of Schenectady,' in relation to providing means for payment of certain street improvements." (No. 2434, Int. No. 1456.)

"An act authorizing the board of education of union free school district No. 1, of the town of Catskill, county of Greene, N. Y., to enter into an agreement in regard to the care and maintenance of a public library on lands owned by the Catskill public library in said union free school district." (No. 2120, Int. No. 1485.)

Senate, "An act for the promotion of agriculture, and making an appropriation for the State fair." (No. 1065, Rec. No. 288.)

Which report was agreed to, and said bills ordered made special orders on third reading immediately.

Mr. Hatch, from the committee on revision, to which was referred the following entitled bills, reported the same without recommendations:

"An act to amend chapter 444 of the Laws of 1866, entitled 'An act to create a board of public instruction in the city of Albany; to establish free schools therein and amendatory of the several acts relating to the district schools in said city', relating to appointments by the board." (No. 2485, Int. No. 1384.)

"An act to amend chapter 227 of the Laws of 1898, entitled 'An act to create a public improvement commission in and for the city of Cohoes, and define its powers and duties,' in relation to street pavements, condemnation proceedings and assessments." (No. 2441, Int. No. 1634.)

"An act to amend chapter 25 of the Laws of 1870, entitled 'An act to incorporate the city of Rome,' relating to assessors, their duties and powers." (No. 2442, Int. No. 1635.)

"An act to provide for the construction of a new iron bridge over the Oswego canal at North Salina street in the city of Syracuse, and making an appropriation therefor." (No. 2372, Int. No. 1601.)

"An act to make an appropriation for the payment of the judgments of the Court of Claims, in claims arising on account of the canals of this State." (No. 2292, Int. No. 1565.)

"An act to make an appropriation for the payment of the judg-

ments of the Court of Claims, in claims other than those on account of the canals of this State." (No. 2291, Int. No. 1564.)

"An act empowering and directing the superintendent of public works to remove the obstruction, gravel, sand, etc., from the bed of Bond's creek south of Dunham's waste-weir to Fort Edward, and to remove obstructions, gravel, sand, etc., from Wood creek from Fort Ann to plank road leading west from Dunham's basin, Washington county, N. Y., where needed." (No. 2117, Int. No. 1471.)

"An act to amend the Code of Civil Procedure, relating to depositions." (No. 2217, Int. No. 636.)

"An act to amend section 1785 of the Code of Civil Procedure, in relation to actions to procure a judgment dissolving a corporation, created by or under the laws of the State, and forfeiting its corporate rights, privileges and franchises in certain cases." (No. 2399, Int. No. 1610.)

"An act to amend the Code of Civil Procedure in relation to attorney's liens." (No. 1712, Int. No. 1284.)

"An act to amend the Agricultural Law, relating to the sale and transportation of calves." (No. 2271, Int. No. 1549.)

"An act to amend chapter 55 of the Laws of 1901, entitled 'An act to provide for rebuilding and equipping the State Normal School at Fredonia, and making an appropriation therefor,' by authorizing the acquisition of additional land for the site of such schools." (No. 2357, Int. No. 1586.)

"An act to provide for dredging and deepening the channel of the Conhocton river and building a dyke along said river in the village of Painted Post, and making an appropriation therefor." (No. 1218, Int. No. 1003.)

"An act making an appropriation for the settlement of the balance due upon the contract for legislative printing, which expired October 1, 1899." (No. 2502, Int. No. 1665.)

"An act to amend the Highway Law, relative to county supervision of highways." (No. 2460, Int. No. 764.)

"An act to ratify and legalize the franchise and agreement granted and made by and between the common council of the city of Rome, N. Y., and the Rome City Street Railway Company." (No. 2447, Int. No. 1640.)

"An act releasing to the owners of adjoining lands, parts of Albany street, in the city of Buffalo." (No. 2366, Int. No. 1595.)

"An act to provide for the payment and assessment of the cost of certain local improvements in the city of Rensselaer." (No. 2439, Int. No. 1632.)

Ordered, That said bills be engrossed for a third reading.

Mr. Hatch, from the committee on revision, to which was referred the bill (No. 2146) entitled "An act to amend the Forest, Fish and Game Laws, to prevent fishing in the waters of Whaley pond in Dutchess county from January 1st to May 31st" (Int. No. 1500), reported the same with the following recommendations:

Page 1, line 1, after the word "hundred" insert the following: "entitled 'An act for the protection of the forest, fish and game of the state constituting chapter thirty-one of the general laws.'"

Same page, line 2, strike out the words "known as the forest, fish and game law."

Amend title by striking the letter "s" from the word "laws."

HYATT C. HATCH,

Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Babcock, from the committee on printed and engrossed bills, reported as correctly printed the following entitled bills:

"An act to amend chapter 214 of the Laws of 1888, entitled 'An act to revise the charter of the city of Binghamton,' relative to school bildings." (No. 2368, Int. No. 1597.)

"An act to legalize the official acts of William L. Riley, as justice of the peace of the town of Chazy, county of Clinton." (No. 2280, Int. No. 1558.)

"An act to incorporate the Inebriates Home for New York city, and to provide funds for the maintenance thereof." (No. 2443, Int. No. 1636.)

"An act to amend the proceedings incorporating the Long Island Baptist Association." (No. 2446, Int. No. 1639.)

"An act to define the rights of persons and corporations engaged in the business of storing personal chattels, and to regulate the said business." (No. 2474, Int. No. 994.)

"An act to amend chapter 249 of the Laws of 1893, entitled 'An act to incorporate the Pythian Home,' in relation to the disposition of the fund." (No. 2458, Int. No. 1192.)

"An act to amend chapter 466 of the Laws of 1866, entitled 'An act in regard to normal schools,' in relation to officers of local boards and their compensation." (No. 2422, Int. No. 1620.)

"An act to enable the commissioner or commissioners or other competent executive authority of the police department of the city of New York to rehear and determine the charges against Thomas Cassidy, a policeman of the first grade, for reappointment in said department." (No. 610, Int. No. 555.)

"An act to provide for the payment of the claim of the Eureka Fire Hose Company for furnishing fire hose to the village of Far Rockaway." (No. 2365, Int. No. 1594.)

"An act to provide for construction of a stone arch over the Canastota creek over the mouth of the State sewer emptying into said creek near the northerly side of Chappel street in the village of Canastota, and making an appropriation therefor." (No. 2058, Int. No. 1453.)

"An act relative to the powers and liabilities of the Farmers' Loan and Trust Company, and the qualifications of its directors." (No. 200, Int. No. 1426.)

"An act to provide for the support and maintenance of the several State prisons, and the Eastern New York Reformatory, and for the ordinary repairs thereof." (No. 2457, Int. No. 264.)

"An act to amend section 651 of the Penal Code, relative to unlawful interference with electric meters and wires." (No. 2456, Int. No. 1222.)

"An act to amend section 2 of chapter 341 of the Laws of 1895, in relation to the literature fund to be distributed to academic schools." (No. 2369, Int. No. 1598.)

"An act to amend the Code of Civil Procedure relative to judgment creditors' actions." (No. 2427, Int. No. 1625.)

"An act to amend chapter 694 of the Laws of 1900, entitled 'An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of the city of Rochester and others against the State, relative to the award to be made against the State.' (No. 2475, Int. No. 1016.)

"An act to amend section 1 of chapter 378 of the Laws of 1883, entitled 'An act in relation to receivers of corporations,' relative to actions brought against corporations." (No. 2462, Int. No. 1520.)

"An act to amend the Public Health Law, relative to the practice of veterinary medicine and surgery." (No. 2391, Int. No. 1603.)

"An act to amend section 2632 of the Code of Civil Procedure, in relation to the record of certain wills." (No. 2461, Int. No. 1419.)

"An act relating to Mount Magdalen School of Industry and Reformatory of the Good Shepherd in the city of Troy and commitments thereto." (No. 2430, Int. No. 1628.)

"An act to amend the General Municipal Law, relative to the passage of ordinances relating to children upon the public streets during certain hours of the night." (No. 2473, Int. No. 848.)

"An act to amend the Tax Law in relation to redemption from tax sales." (No. 1787, Int. No. 1308.)

Mr. Speaker, from the committee on rules, to which was referred the bill (No. 2534) entitled "An act to amend chapter of the Laws of 1901, entitled 'An act in relation to tenement houses in cities of the first class,' in relation to the construction of buildings" (Int. No. 1671), reported the same with the following amendments:

In title, after the word "chapter" insert the words "three hundred and thirty-four."

Page 1, line 2, insert after the word "chapter" the words "three hundred and thirty-four."

Which report was agreed to, and said bill ordered reprinted and made a special order on third reading immediately.

Mr. Speaker, from the committee on rules, to which was referred the Senate bill (No. 881) entitled "An act to amend the Forest, Fish and Game Law relating to forest fires" (Rec. No. 684), reported the same with the following amendment:

Page 2, lines 21 and 22, strike out the words "to the land of another person."

Which report was agreed to, and said bills ordered reprinted and made special orders on third reading immediately.

Mr. Speaker, from the committee on rules, to which was referred the Senate bill (No. 1474) entitled "An act to authorize the city of Watertown to receive a donation for and to establish and maintain 'The Roswell P. Flower Memorial Library,' as a free public library in and for said city" (Rec. No. 438), reported in favor of the passage of the following substitute bill:

AN ACT to authorize the city of Watertown to receive a donation for and to establish and maintain "The Roswell P. Flower Memorial Library," as a free public library in and for said city.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. The common council of the city of Watertown is hereby authorized and empowered to receive a donation of sixty thousand dollars from Emma Flower Taylor for the purpose of establishing in and for said city a free public library to be designated "The Roswell P. Flower Memorial Library". Such donation may be made in either real, or personal, property, or both. The said council is also authorized to contract with said donor, her heirs and personal representatives, as a condition of such donation, to devote not less than five thousand dollars annually to the care and maintenance of such library, building and premises, and to make such other covenants and agreements as it may deem proper for the purpose of insuring the permanency and usefulness thereof as a public library and as a memorial to the late Governor Roswell P. Flower.

§ 2. In case such donation is received by the city of Watertown, the said common council must raise at least five thousand dollars annually by taxation in like manner as other taxes are raised in said city, and place the same at the disposal of the trustees of said library for the care and maintenance thereof. But if all, or any part of, said five thousand dollars is specifically provided for by endowment or otherwise, then and in that case the city of Watertown shall raise the balance, if any, by taxation as above provided.

§ 3. The mayor, by and with the consent of the common council, upon the vote of a majority of all the members thereof, shall appoint eleven trustees of said library, whose term of office shall be fixed by the mayor, in the first appointment, so that the term of office of one trustee shall expire each year for eleven years. Their successors in office shall be appointed, as above provided,

and shall hold office for eleven years, or until their successors are appointed. Any appointment to fill a vacancy shall be for the unexpired term, so that one vacancy by expiration of term shall occur each year. The said trustees shall care for, and maintain, the said library and property as a free public library for the city of Watertown; may make rules for the maintenance and regulation thereof; may take gifts of real or personal property from any person or corporation, or by will, and hold the same for the maintenance, or extension of such library, and may agree to any condition imposed by the donors, not inconsistent with maintaining such library, as a free public library and memorial to the late Governor Roswell P. Flower, or with the contract between the city of Watertown and the founder thereof. They may also keep in their custody the records, archives and library of the Jefferson County Historical Society.

§ 4. All acts and parts of acts, inconsistent with this act, are hereby repealed.

§ 5. This act shall take effect immediately.

Which report was agreed to, and said substitute bill ordered printed, and placed on the order of second reading.

Mr. Speaker, from the committee on rules, to which was referred the Senate bill (No. 1225) entitled "An act to amend chapter 428 of the Laws of 1900, entitled 'An act supplemental to chapter 469 of the Laws of 1892,' entitled 'An act to restore to the owners of water power on Black river the water diverted by the State for canal purposes,' and making an appropriation therefor" (Rec. No. 390), reported in favor of the passage of the following substitute bill:

AN ACT to amend chapter four hundred and twenty-eight of the laws of nineteen hundred, entitled "An act supplemental to chapter four hundred and sixty-nine of the laws of eighteen hundred and ninety-two" entitled "An act to restore to the owners of water power on Black river the water diverted by the state for canal purposes" and making an appropriation therefor.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Sections one, two and three of chapter four hundred and twenty-eight of the laws of nineteen hundred are hereby amended to read respectively as follows:

§ 1. The superintendent of public works is hereby authorized

to construct in accordance with plans and specifications to be prepared by the state engineer and surveyor a masonry dam on the Beaver river as near as practicable to the existing state dam on said river of a height to maintain the pond [at] not higher than the existing water line. Such dam when constructed shall take the place of the existing dam and be subject to all the provisions of law relating thereto.

§ 2. The sum of seven thousand dollars appropriated by chapter six hundred and six of the laws of eighteen hundred and ninety-eight for the purpose of building dams supplemental to the state dam on Beaver river, is hereby reappropriated for the purposes of this act, and the further sum of forty-three thousand dollars is hereby also appropriated for the purposes specified in this act, payable out of any moneys in the treasury not otherwise appropriated, on the warrant of the comptroller, to the superintendent of public works. And the further sum of thirty-five thousand dollars is also hereby appropriated for the purposes specified in this act, payable out of any moneys in the treasury not otherwise appropriated on the warrant of the comptroller to the superintendent of public works.

§ 3. No part of such appropriation or reappropriation shall be available except for necessary plans, specifications and advertising, until a contract for the completion of the work herein authorized within such appropriation shall have been duly made with a responsible bidder, and the performance thereof duly secured by a sufficient bond approved by the comptroller; nor until the superintendent of public works is satisfied that the construction of said dam will cause no damage to private persons or property, or if it will cause the same, that such damage has been released.

§ 2. This act shall take effect immediately.

Which report was agreed to, and said substitute bill ordered printed and placed on the order of second reading.

Mr. Speaker presented the Forty-seventh Annual Report of the State Superintendent of the Department of Public Instruction, which was laid upon the table and ordered printed.

(See Document.)

Also, the Third Annual Report of the New York State Pathological Laboratory of the University of Buffalo, which was laid upon the table and ordered printed.

(See Document.)

The Senate returned the following entitled bills:

“An act to amend chapter 770 of the Laws of 1895, entitled
“An act to provide for a permanent establishment for the cure

and prevention of hydrophobia,' relative to the payment for services." (No. 2099, Int. No. 1230, Senate reprint No. 1448.)

"An act to amend the Highway Law, relative to the inspection of highways by commissioners of highways, and the reports of such commissioners and of the overseers of highways." (No. 1689, Int. No. 1260, Senate reprint No. 1329.)

"An act to amend the Town Law, relative to the compensation of town officers." (No. 1560, Int. No. 657, Senate reprint No. 1327.)

"An act to provide for the repairing and improving of the harbor and breakwater, in Seneca lake, at Watkins, on the Chemung canal, and making appropriations therefor, by reappropriating the unexpended moneys appropriated by chapter 697 of the Laws of 1899." (No. 1608, Int. No. 191, Senate reprint No. 1292.)

"An act to amend section 107 of title 2 of chapter 3 of part 4 of the revised statutes relating to State prisons, as amended by chapter 623 of the Laws of 1897, relative to the powers of the board of classification." (No. 1163, Int. No. 970, Senate reprint No. 1400.)

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the bill (No. 2294) entitled "An act authorizing the city of Rome to issue bonds for the purpose of extending and constructing street improvement, and paying indebtedness heretofore incurred on account of street improvements, and the cleaning and keeping of the streets in repair" (Int. No. 1567), with a message that they have concurred in the passage of the same, without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Rome.

A communication was received from Hon. Henry Calhoun, acting mayor of the city of Watervliet, returning the bill No. 1775, entitled "An act to amend the charter of the city of Watervliet, relative to board of fire commissioners, etc." (Int. No. 1081), with a message that said mayor, and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Michael J. Dillon, mayor of the city of New Rochelle, returning the bill No. 1367, entitled "An act to authorize and provide for the enlargement and improvement of the existing sewer system in Residence park, within the city of New Rochelle, Westchester county, and for the payment of the expenses thereof " (Int. No. 827), with a message that said mayor, and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate sent for concurrence a resolution in the words following:

Resolved (if the Assembly concur), That a respectful message be sent to the Assembly requesting the return of Senate bill No. 1377, entitled "An act to provide for the erection of a suitable monument to the memory of the soldiers of the Thirty-fourth Regiment Volunteer Infantry of the State of New York, who were engaged in the battle of Antietam, and making an appropriation therefor " (Rec. No. 1409), for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the bill (No. 2141) entitled "An act to amend chapter 640 of the Laws of 1900, entitled 'An act to amend chapter 152 of the Laws of 1899, entitled An act in relation to the use of bicycles on sidepaths, for licensing bicycles, for the appointment of sidepath commissioners, and to provide for the construction, maintenance, regulation, preservation and shading of sidepaths, by defining the powers and duties of said commissioners, and to repeal certain acts relative thereto,' by removing the special provision in regard to the license fee in Monroe county, and providing that the number of the year shall appear on the license." (Int. No. 1495.)

Said bill having been announced for a second reading,

Mr. M. E. Lewis moved that said bill be recommitted to the committee on rules.

Mr. Speaker put the question whether the House would agree to said motion of Mr. M. E. Lewis, and it was determined in the negative.

{ AYES 14 }
 { NOES 67 }

Those who voted in the affirmative, were

Baum	Doughty	Hammond	Nye	Salyerds
Brill	Fancher	Harris	Phillips	Smith J E
Cadin	Gardiner R	Lewis M E	Rodenbeck	

Those who voted in the negative, were

Ahern	Darrison	Hyman	Platt	Seymour
Allds	Dickinson	Juengst	Price	Sherer
Babcock	Dusinbery	Kaiser	Prince	Smith A R
Baker	Fish	Keenan	Remsen	Smith J L
Bennet	Fisher	Kelsey	Rider	Smith W H
Blackwell	Fitzgerald	Knipp	Rierdon	Snyder
Bradley	Fowler	Lewis T D	Robinson	Stevens
Erooks	Galbraith	McInerney	Rogers	Swift
Bryan	Griffith	Morgan	Ross	Thorn
Burns	Hallock	Orr	Ruehl	Vacheron
Cook	Harburger	Patton	Sanders	Waite
Costello	Hitchcock	Phipps	Scanlon	Walrath
Cotton	Holsten	Plank	Schneider	Wilson H
Daly	Honeck			

Said bill was then read the second time.

On motion of Mr. Darrison, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
 { NOES 15 }

Those who voted in the affirmative, were

Ahern	Costello	Hitchcock	O'Connell	Scanlon
Allds	Cotton	Holsten	O'Malley	Seymour
Babcock	Daly	Honeck	Orr	Sherer
Baum	Darrison	Hyman	Patton	Smith J T
Bedell	Dickey	Irwin	Phipps	Smith W H

Bell	Dickinson	Juengst	Plank	Snyder
Bennet	Musinbery	Kaiser	Platt	Stevens
Blackwell	Fisher	Kelsey	Poth	Swift
Bradley	Fitzgerald	Knipp	Price	Thorn
Brill	Fitzpatrick	Landon	Prince	Ulmann
Brooks	Fowler	Lewis T D	Rainey	Vacheron
Bryan	Galbraith	Mansfield	Rogers	Van Name
Burnett	Griffith	McInerney	Ross	Waite
Burns	Hallock	McKeown	Ruehl	Weber
Conger	Harburger	McMillan	Sanders	Wilson H
Cook	Hatch	O'Brien		

Those who voted in the negative, were

Cadin	Fish	Hammond	Phillips	Salyerds
Davis	Gardiner R	Lewis M E	Rierdon	Smith J E
Doughty	Halpin	Morgan	Rodenbeck	Smith S W

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2437) entitled "An act to amend chapter 568 of the Laws of 1890, entitled 'An act in relation to highways, constituting chapter 19 of the general laws,' in relation to the application of the money system of highway improvement." (Int. No. 1630.)

Said bill was read the second time.

On motion of Mr. Fowler, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 90 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Daly	Hammond	Mathews	Rodenbeck
Adler	Davis	Harburger	McKeown	Ross
Ahern	Delaney	Hasenflug	McQuade	Ruehl
Allds	Dickinson	Hatch	Meister	Salyerds

Apgar	Doughty	Henry	Nye	Schneider
Babcock	Dusinbery	Hitchcock	O'Connell	Seymour
Baker	Ellis	Honeck	O'Malley	Smith A R
Bedell	Fancher	Hyman	Orr	Smith J T
Bennet	Fisher	Irwin	Phillips	Smith W H
Blackwell	Fitzpatrick	Juengst	Phipps	Stevens
Brill	Fordyce	Keenan	Plank	Swarts
Bruckner	Fowler	Kelly	Poth	Swift
Bryan	Frisbie	Knipp	Price	Traub
Burns	Galbraith	Landon	Rainey	Ulmann
Cadin	Gardiner R	Leggett	Remsen	Van Name
Cook	Geoghan	Lewis M E	Richter	Waite
Coons	Griffith	Lynn	Rider	Weekes
Cotton	Halpin	Mansfield	Roberts	Wilson H

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2241) entitled "An act to amend chapter 290 of the Laws of 1892, entitled 'An act to authorize the formation of a corporation by benevolent orders for the acquisition of real property and the erection and maintenance of buildings for the use of such orders,' relative to the Foresters of America." (Int. No. 1531.)

Said bill was read the second time.

On motion of Mr. M. E. Lewis, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 98 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	DeGraw	Henry	Nye	Sanders
Adler	Delaney	Hitchcock	O'Connell	Scanlon
Ahern	Dickey	Honeck	O'Malley	Schneider
Allds	Dooling	Hyman	Patton	Seymour
Apgar	Duross	Juengst	Phillips	Sherer

Babcock	Egan	Keenan	Phipps	Smith J E
Baker	Ellis	Kelly	Plank	Smith J T
Bedell	Everett	Knipp	Platt	Smith J T
Bell	Fancher	Landon	Prince	Smith S W
Blackwell	Fisher	Leggett	Rainey	Stevens
Brill	Fitzpatrick	Lewis M E	Remsen	Sullivan
Bruckner	Fowler	Lewis T D	Richter	Swarts
Bryan	Galbraith	Lynn	Rierdon	Thorn
Burns	Gardner C J	Mansfield	Roberts	Traub
Conger	Graeff	Marson	Robinson	Vacheron
Cooley	Hallock	McInerney	Rodenbeck	Van Name
Coons	Halpin	McKeown	Ross	Waite
Cotton	Harburger	McMillan	Ruehl	Weekes
Daly	Hatch	McQuade	Salyerds	Wilson H
Darrison	Henry	Morgan		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 80) entitled "An act to provide for repairing and reconstructing the banks and channels of Glen creek, in the village of Watkins, and making an appropriation therefor." (Int. No. 80.)

Said bill was read the second time.

On motion of Mr. Nye, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 89 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Dempsey	Hitchcock	Morgan	Scanlon
Adler	Dickinson	Honeck	Nye	Schneider
Ahern	Doughty	Irwin	O'Connell	Seymour
Allds	Dusinbery	Juengst	O'Malley	Smith A R
Apgar	Everett	Kaiser	Patton	Smith J L
Babcock	Fancher	Keenan	Phipps	Smith J T

Baum	Fisher	Kelly	Plank	Smith S W
Bell	Fitzpatrick	Kelsey	Poth	Snyder
Blackwell	Fowler	Landon	Price	Sullivan
Brill	Galbraith	Leggett	Rainey	Swarts
Brooks	Gardiner R	Lewis M E	Reilley	Thorn
Burnett	Geoghan	Lewis T D	Richter	Traub
Cadin	Griffith	Mains	Rider	Ulmann
Cook	Halpin	Mansfield	Robinson	Van Name
Costello	Hanford	Marson	Rogers	Walrath
Coughtry	Harris	McInerney	Ross	Weekes
Darrison	Hatch	McMillan	Ruehl	Wilson H
DeGraw	Henry	Meister	Sal yerds	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2450) entitled "An act to amend an act entitled 'An act enlarging and modifying the powers of town officers in towns within counties having over 300,000 inhabitants, and providing for public improvements within such towns, excepting the counties of New York and Kings,' being chapter 816 of the Laws of 1895." (Int. No. 1643.)

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 86 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Daly	Harburger	McKeown	Sal yerds
Adler	Davis	Harris	McMillan	Scanlon
Allds	Delaney	Hatch	Meister	Seymour
Apgar	Dempsey	Hawkins	Nye	Smith A R
Babcock	Dickinson	Hitchcock	O'Connell	Smith J L
Baum	Duross	Honeck	Orr	Smith S W
Bell	Egan	Hyman	Patton	Smith W H
Blackwell	Everett	Irwin	Phipps	Stevens
Brill	Fish	Juengst	Plank	Sullivan
Bruckner	Fitzgerald	Keenan	Poth	Swarts

Bryan	Fordyce	Kelly	Prince	Traub
Burns	Frisbie	Kelsey	Reilley	Treat
Cadin	Gardiner R	Landon	Reynolds	Ulmann
Conger	Geoghan	Lewis M E	Rierdon	Van Name
Cooley	Griffith	Lynn	Roberts	Waite
Coons	Hallock	Mansfield	Rogers	Weber
Costello	Hammond	Mathews	Ross	Weekes
Coughtry				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2121) entitled "An act for the relief of the towns of Newfane, Wilson and Lewiston, and to enable each of said towns to refund and adjust its indebtedness and to issue bonds therefor." (Int. No. 1486.)

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 90 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Dempsey	Hasenflug	McMillan	Salyerds
Adler	Dickinson	Hatch	Meister	Scanlon
Ahern	Doughty	Henry	Nye	Scanlon
Allds	Dusinbery	Holsten	O'Connell	Seymour
Axtell	Ellis	Hyman	O'Malley	Smith A R
Babcock	Fancher	Irwin	Orr	Smith J E
Baker	Fisher	Kaiser	Phillips	Smith J T
Bedell	Fitzgerald	Kelly	Platt	Smith S W
Bennet	Fordyce	Kelsey	Price	Snyder
Bradley	Fowler	Knipp	Rainey	Sullivan
Brooks	Galbraith	Landon	Remsen	Swift
Burnett	Gardner C J	Lewis M E	Reynolds	Traub
Cadin	Geoghan	Lewis T D	Rider	Treat
Conger	Graeff	Lynn	Roberts	Ulmann
Cooley	Hallock	Mains	Rodenbeck	Van Name
Costello	Halpin	Marson	Rogers	Walrath
Daly	Hanford	Mathews	Ross	Weekes
DeGraw	Harburger	McKeown	Ruehl	Wilson H

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the Senate bill (No. 631, Assembly reprint No. 2313) entitled "An act to classify and grade, and to establish rates of compensation for clerks and other employes in the service of the State." (Rec. No. 119.)

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 90 }
 { NOES 00 }

Those who voted in the affirmative, were

Adams	Dempsey	Hasenflug	Morgan	Scanlon
Adler	Dooling	Hatch	O'Connell	Schneider
Ahern	Duross	Hawkins	O'Malley	Seymour
Allds	Egan	Holsten	Patton	Sherer
Apgar	Everett	Honeck	Phipps	Smith J E
Babcock	Fancher	Irwin	Plank	Smith J L
Baum	Fisher	Juengst	Platt	Smith S W
Bell	Fitzgerald	Keenan	Poth	Snyder
Blackwell	Fitzpatrick	Kelly	Prince	Stevens
Bradley	Fordyce	Kelsey	Reilly	Swarts
Bruckner	Galbraith	Landon	Reynolds	Thorn
Burnett	Gardner C J	Leggett	Rider	Traub
Conger	Geoghan	Lewis M E	Rierdon	Treat
Cooley	Griffith	Lynn	Roberts	Van Name
Costello	Hallock	Mansfield	Rogers	Waite
Daly	Halpin	Mathews	Ross	Weber
Davis	Hanford	McKeown	Ruehl	Weekes
Delaney	Harburger	McQuade	Sanders	Wilson H

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, with amendments.

Mr. Speaker announced the special order, being the bill (No. 2372) entitled "An act to provide for the construction of a new iron bridge over the Oswego canal at North Salina street in the

city of Syracuse, and making an appropriation therefor." (Int. No. 1601.)

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 96 }
 { NOES 00 }

Those who voted in the affirmative, were

Adams	Dickey	Hitchcock	Meister	Robinson
Adler	Dooling	Honeck	Morgan	Rogers
Ahern	Duross	Irwin	Nye	Ruehl
Allston	Ellis	Kaiser	O'Brien	Sanders
Axtell	Fancher	Keenan	O'Connell	Schneider
Babcock	Fisher	Kelly	O'Malley	Seymour
Baum	Fitzgerald	Kelsey	Orr	Smith A R
Bedell	Fordyce	Knipp	Patton	Smith J E
Bennet	Frisbie	Landon	Phillips	Smith W H
Bradley	Gardiner R	Leggett	Phipps	Snyder
Brooks	Gardner C J	Lewis M E	Platt	Stevens
Bryan	Graeff	Lewis T D	Poth	Swarts
Bennet	Griffith	Mains	Price	Thorn
Conger	Halpin	Mansfield	Prince	Treat
Cooley	Hammond	Marson	Reilléy	Vacheron
Costello	Harburger	Mathews	Remsen	Van Name
Coughtry	Harris	McInerney	Richter	Waite
Daly	Hatch	McKeown	Rider	Weber
Davis	Henry	McQuade	Roberts	Wilson H
Delaney				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2291) entitled "An act to make an appropriation for the payment of the judgments of the Court of Claims, in claims other than those on account of the canals of this State." (Int. No. 1564.)

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 100 }
 } NOES 00 }

Those who voted in the affirmative, were

Adams	Daly	Holsten	O'Connell	Smith A R
Adler	DeGraw	Hyman	Orc	Smith J E
Ahern	Dempsey	Irwin	Phillips	Smith J L
Allds	Dickinson	Kaiser	Plank	Smith J T
Allston	Doughty	Keenan	Platt	Smith S W
Apgar	Dusinbery	Kelly	Price	Smith W H
Axtell	Ellis	Kelsey	Prince	Stevens
Babcock	Fancher	Knipp	Reilley	Sullivan
Baum	Fish	Landon	Remsen	Swartz
Bell	Fitzgerald	Leggett	Richter	Swift
Blackwell	Fordyce	Lewis M E	Rider	Traub
Bradley	Frisbie	Lynn	Roberts	Treat
Brill	Gardiner R	Mains	Rodenbeck	Ulmann
Bruckner	Graeff	Marson	Rogers	Vacheron
Burnett	Griffith	McInerney	Ross	Van Name
Cadin	Hallock	McKeown	Salyerds	Waite
Conger	Hammond	McQuade	Sanders	Walrath
Coons	Harris	Meister	Scanlon	Weber
Costello	Hatch	Nye	Schneider	Weekes
Coughtry	Henry	O'Brien	Sherer	Wilson H

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2292) entitled "An act to make an appropriation for the payment of the judgments of the Court of Claims, in claims arising on account of the canals of this State." (Int. No. 1565.)

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{	AYES	93	}
{	NOES	00	}

Those who voted in the affirmative, were

Adams	DeGraw	Hawkins	McQuade	Scanlon
Adler	Dempsey	Hitchcock	Meister	Seymour
Ahern	Diekey	Holsten	Nye	Sherer
Allds	Dooling	Honeck	O'Connell	Smith J L
Apgar	Duross	Irwin	O'Malley	Smith J T
Babcock	Egan	Juengst	Patton	Smith S W
Baker	Everett	Kaiser	Phillips	Smith W H
Bedell	Fancher	Keenan	Plank	Stevens
Bennet	Fisher	Kelly	Platt	Swarts
Brill	Fordyce	Kelsey	Price	Swift
Brooks	Fowler	Landon	Rainey	Traub
Bryan	Galbraith	Lewis M E	Remsen	Treat
Burns	Gardner C J	Lewis T D	Richter	Ulmann
Conger	Geoghan	Mains	Rierdon	Van Name
Cooley	Griffith	Mansfield	Roberts	Waite
Coons	Hallock	Marson	Rodenbeck	Weber
Cotton	Hammond	Mathews	Ross	Weekes
Daly	Harburger	McKeown	Salyerds	Wilson H
Darrison	Hasenflug	McMillan		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2117) entitled "An act empowering and directing the Superintendent of Public Works to remove the obstruction, gravel, sand, etc., from the bed of Bond's creek south of Dunham's waste-weir to Fort Edward, and to remove obstructions, gravel, sand, etc., from Wood creek from Fort Ann to plank road leading west from Dunham's basin, Washington county, N. Y., where needed." (Int. No. 1471.)

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 97 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Daly	Hanford	Mathews	Robinson
Adler	Darrison	Harburger	McKeown	Rogers
Ahern	Davis	Harris	McMillan	Ruehl
Allds	Delaney	Hasenflug	McQuade	Salyerds
Apgar	Dempsey	Hatch	Meister	Scanlon
Babcock	Dickinson	Henry	Nye	Schneider
Baker	Dooling	Hitchcock	O'Brien	Seymour
Baum	Duross	Honeck	O'Malley	Smith A R
Bell	Dusinbery	Irwin	Orr	Smith J L
Blackwell	Ellis	Kaiser	Phillips	Smith S W
Brill	Everett	Keenan	Plank	Smith W H
Brooks	Fish	Kelly	Platt	Stevens
Bruckner	Fitzgerald	Kelsey	Price	Swarts
Burnett	Fowler	Knipp	Prince	Thorn
Cadin	Galbraith	Landon	Rainey	Ulmann
Conger	Gardner C J	Lewis M E	Remsen	Van Name
Cooley	Geoghan	Lewis T D	Reynolds	Weber
Coons	Griffith	Mains	Rider	Weekes
Cotton	Halpin	Marson	Roberts	Wilson H
Coughtry	Hammond			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2217) entitled "An act to amend the Code of Civil Procedure relating to depositions." (Int. No. 636.)

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 105 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Coughtry	Hallock	Mathews	Ross
Adler	Darrison	Hammond	McKeown	Salyerds
Ahern	Davis	Hanford	McQuade	Scanlon

Allds	DeGraw	Harris	Morgan	Seymour
Allston	Dempsey	Hatch	O'Brien	Sherer
Apgar	Dickey	Henry	O'Malley	Smith J E
Axtell	Dooling	Holsten	Orr	Smith J L
Babcock	Doughty	Honeck	Phillips	Smith J T
Baker	Duross	Irwin	Phipps	Smith W H
Bedell	Egan	Juengst	Platt	Snyder
Bell	Ellis	Kaiser	Poth	Stevens
Blackwell	Fancher	Keenan	Price	Swarts
Brill	Fish	Kelly	Rainey	Swift
Brooks	Fisher	Kelsey	Reilley	Traub
Bruckner	Fitzgerald	Knipp	Remsen	Vacheron
Burnett	Fitzpatrick	Landon	Reynolds	Van Name
Cadin	Fowler	Leggett	Rider	Waite
Conger	Frisbie	Lewis M E	Rierdon	Walrath
Cook	Gardiner R	Lynn	Roberts	Weber
Coons	Geoghan	Mains	Rodenbeck	Weekes
Costello	Graeff	Marson	Rogers	Wilson H

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No 2357) entitled "An act to amend chapter 55 of the Laws of 1901, entitled 'An act to provide for rebuilding and equipping the State Normal School at Fredonia, and making an appropriation therefor,' by authorizing the acquisition of additional land for the site of such schools." (Int. No. 1586.)

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 98 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Daly	Harris	O'Brien	Seymour
Adler	Darrison	Hatch	O'Malley	Sherer
Ahern	DeGraw	Hawkins	Orr	Smith A R
Allston	Delaney	Hitchcock	Patton	Smith J E
Axtell	Dickey	Honeck	Phipps	Smith J T

Babcock	Dooling	Irwin	Plank	Smith S W
Baker	Duross	Juengst	Platt	Smith W H
Baum	Ellis	Kaiser	Price	Snyder
Bell	Everett	Keenan	Rainey	Sullivan
Bennet	Fish	Kelly	Reilley	Swarts
Blackwell	Fitzgerald	Kelsey	Reynolds	Thorn
Brill	Fordyce	Leggett	Rider	Treat
Brooks	Frisbie	Lewis T D	Rierdon	Ulmann
Bryan	Galbraith	Lynn	Robinson	Vacheron
Burns	Gardner C J	Mansfield	Rogers	Van Name
Conger	Graeff	Mathews	Ross	Waite
Cook	Griffith	McInerney	Ruehl	Weber
Coons	Hallock	McMillan	Salyerds	Weekes
Costello	Hammond	Meister	Scanlon	Wilson H
Cotton	Harburger	Nye		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2146) entitled "An act to amend the Forest, Fish and Game Laws, to prevent fishing in in the waters of Whaley pond in Dutchess county from January 1st to May 31st. (Int. No. 1500.)

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 97 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Doughty	Juengst	O'Malley	Schneider
Adler	Dusinbery	Kaiser	Orr	Seymour
Allds	Everett	Keenan	Phillips	Sherer
Apgar	Fish	Kelly	Phipps	Smith A R
Babcock	Fitzgerald	Kelsey	Platt	Smith J L
Baum	Fitzpatrick	Landon	Poth	Smith J T
Bell	Fowler	Lewis M E	Price	Smith W H
Bradley	Frisbie	Lewis T D	Prince	Snyder
Brill	Gardiner R	Lynn	Reilley	Stevens
Bruckner	Geoghan	Mansfield	Remsen	Swarts

Burnett	Graeff	Marson	Richter	Swift
Cadin	Hallock	Mathews	Rider	Thorn
Cooley	Halpin	McInerney	Roberts	Treat
Costello	Hanford	McKeown	Robinson	Ulmann
Coughtry	Harris	McMillan	Rogers	Van Name
Darrison	Hasenflug	Meister	Ross	Waite
Davis	Hawkins	Morgan	Ruehl	Weber
DeGraw	Hitchcock	O'Brien	Salyerds	Weekes
Dempsey	Honeck	O'Connell	Scanlon	Wilson H
Dickinson	Hyman			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2344) entitled "An act authorizing the village of Ellenville, in the county of Ulster, to raise money by issuing bonds for the establishment of a gas or electric light plant for said village." (Int. No. 1300.)

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 101 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Cotton	Hammond	McMillan	Salyerds
Adler	Coughtry	Hanford	McQuade	Scanlon
Ahern	Darrison	Harris	Morgan	Schneider
Allston	Davis	Hatch	O'Brien	Sherer
Axtell	Delaney	Henry	O'Connell	Smith A P
Babcock	Dickey	Hitchcock	Orr	Smith J T
Baker	Dooling	Honeck	Phillips	Smith W H
Baum	Doughty	Irwin	Plank	Snyder
Bedell	Dusinbery	Juengst	Platt	Stevens
Bennet	Egan	Keenan	Poth	Sullivan
Bradley	Everett	Kelsey	Prince	Swarts
Brill	Fish	Knipp	Rainey	Swift
Bruckner	Fitzgerald	Leggett	Reilly	Traub

Bryan	Fordyce	Lewis M E	Remsen	Treat
Burnett	Frisbie	Lynn	Rider	Vacheron
Burns	Gardiner R	Mains	Rierdon	Waite
Conger	Gardner C J	Mansfield	Robinson	Walrath
Cook	Geoghan	Marson	Rogers	Weber
Cooley	Griffith	McInerney	Ross	Weekes
Coons	Hallock	McKeown	Ruehl	Wilson H
Costello				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2384) entitled "An act to enable the county of Erie and the town of Grand Island to construct a bridge from the town of Grand Island across the east branch of the Niagara river to the main land, and to issue bonds therefor." (Int. No. 1516.)

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{	AYES	83	}
{	NOES	2	}

Those who voted in the affirmative, were

Adams	Coughtry	Hammond	McKeown	Ruehl
Adler	Darrison	Harburger	McQuade	Sanders
Ahern	DeGraw	Hatch	Morgan	Schneider
Allston	Dempsey	Henry	O'Brien	Smith A R
Apgar	Dickey	Holsten	O'Connell	Smith J L
Babcock	Dooling	Irwin	Orr	Smith J T
Baum	Duross	Juengst	Phillips	Smith W H
Bell	Egan	Keenan	Plank	Stevens
Blackwell	Everett	Kelly	Poth	Swarts
Bradley	Fish	Kelsey	Price	Thorn
Brooks	Fitzgerald	Knipp	Reilley	Traub
Bryan	Fordyce	Landon	Reynolds	Ulmann
Burns	Fowler	Leggett	Rider	Van Name
Conger	Gardiner R	Lewis T D	Rierdon	Walrath

Cooley	Gardner C J	Mains	Robinson	Weekes
Coons	Graeff	Marson	Rodenbeck	Wilson H
Cotton	Hallock	Mathews		

Those who voted in the negative, were

Cook O'Malley

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2345) entitled "An act authorizing an investigation as to the expediency and cost of establishing a municipal electric lighting plant in and for the city of Syracuse." (Int. No. 1361.)

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 97 }
{ NOES 1 }

Those who voted in the affirmative, were

Adams	Darrison	Harburger	Marson	Ruehl
Ahern	DeGraw	Hasenflug	McInerney	Sanders
Allds	Dempsey	Hawkins	McMillan	Scanlon
Allston	Dickey	Hitchcock	McQuade	Seymour
Axtell	Dickinson	Holsten	Meister	Smith A R
Baker	Doughty	Hyman	Nye	Smith J L
Bedell	Dusinbery	Irwin	O'Connell	Smith J T
Bell	Egan	Juengst	Orr	Smith W H
Blackwell	Everett	Kaiser	Phillips	Stevens
Bradley	Fish	Keenan	Plank	Sullivan
Brooks	Fisher	Kelly	Platt	Swarts
Bruckner	Fitzpatrick	Kelsey	Price	Thorn
Bryan	Fowler	Knipp	Rainey	Traub
Burns	Frisbie	Landon	Remsen	Ulmann
Cadin	Gardiner R	Leggett	Richter	Van Name
Cook	Gardner C J	Lewis M E	Rider	Walrath
Cooley	Geoghan	Lewis T D	Roberts	Weber

Coons	Griffith	Mains	Rodenbeck	Weekes
Cotton	Halpin	Mansfield	Ross	Wilson H
Daly	Hanford			

In the negative,

Davis

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1733) entitled "An act to authorize the abandonment of the Ohio Basin Slip in the city of Buffalo, between the south line of Elk street and the Main and Hamburg street canal, the abatement of the nuisance created thereby and vesting the title and ownership to the lands and premises included therein in said city." (Int. No. 1294.)

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 104 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	DeGraw	Henry	McQuade	Scanlon
Adler	Dempsey	Hitchcock	Meister	Schneider
Ahern	Dickinson	Holsten	Nye	Seymour
Allston	Dooling	Honeck	O'Brien	Smith A R
Apgar	Duross	Irwin	O'Malley	Smith J L
Axtell	Egan	Kaiser	Orr	Smith J T
Baker	Ellis	Keenan	Patton	Smith S W
Baum	Fancher	Kelly	Phillips	Smith W H
Bedell	Fisher	Kelsey	Phipps	Stevens
Bennet	Fitzpatrick	Knipp	Plank	Sullivan
Bradley	Fordyce	Landon	Poth	Swarts
Brill	Frisbie	Leggett	Price	Thorn
Bruckner	Gardiner R	Lewis M E	Rainey	Traub
Bryan	Gardner C J	Lewis T D	Reilly	Treat
Burnett	Graeff	Lynn	Remsen	Ulmann

Cadin	Griffith	Mains	Richter	Van Name
Conger	Halpin	Mansfield	Rierdon	Waite
Cooley	Hanford	Marson	Robinson	Weber
Costello	Harris	McInerney	Rogers	Weekes
Coughtry	Hasenflug	McKeown	Ross	Wilson H
Darrison	Hawkins	McMillan	Salyerds	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2378) entitled "An act to provide for the construction of a vertical wall on the south side of the Erie canal, from the west side of Bridge No. 131 of section 10 of the Erie canal, and making an appropriation therefor." (Int. No. 320.)

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 99 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Dempsey	Hammond	Marson	Salyerds
Adler	Dickey	Harburger	McInerney	Sanders
Ahern	Dickinson	Hasenflug	McMillan	Seymour
Allston	Dooling	Hatch -	McQuade	Sherer
Axtell	Duross	Hawkins	Morgan	Smith J L
Baker	Dusinbery	Hitchcock	O'Brien	Smith J T
Bedell	Egan	Holsten	O'Connell	Smith S W
Bennet	Everett	Hyman	Nye	Smith W H
Bradley	Fancher	Irwin	Phillips	Snyder
Brooks	Fish	Juengst	Plank	Sullivan
Bruckner	Fisher	Kaiser	Platt	Swarts
Burnett	Fitzgerald	Keenan	Price	Thorn
Cadin	Fordyce	Kelly	Rainey	Traub
Cook	Fowler	Kelsey	Reilley	Ulmann
Cooley	Galbraith	Knipp	Reynolds	Van Name
Coons	Gardiner R	Leggett	Rider	Walrath
Costello	Geoghan	Lewis M E	Sanders	Weber

Coughtry	Graeff	Lewis T D	Robinson	Weekes
Daly	Griffith	Lynn	Rogers	Wilson H
DeGraw	Halpin	Mansfield	Ruehl	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2348) entitled "An act to amend the Insanity Law, relative to the care and support of indigent insane." (Int. No. 1431.)

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 111 }
 { NOES 00 }

Those who voted in the affirmative, were

Adams	Darrison	Harris	McMillan	Ross
Adler	DeGraw	Hatch	McQuade	Ruehl
Ahern	Delaney	Hawkins	Meister	Salyerds
Allds	Dickey	Hitchcock	Nye	Scanlon
Allston	Dooling	Honeck	O'Brien	Schneider
Apgar	Doughty	Irwin	O'Connell	Sherer
Axtell	Duross	Juengst	O'Malley	Smith A R
Babcock	Egan	Kaiser	Orr	Smith J L
Baker	Everett	Keenan	Patton	Smith J T
Baum	Fancher	Kelly	Phillips	Smith S W
Bell	Fish	Kelsey	Plank	Snyder
Bennet	Fisher	Knipp	Platt	Stevens
Bradley	Fitzpatrick	Leggett	Poth	Sullivan
Brooks	Fowler	Lewis M E	Prince	Swift
Bruckner	Frisbie	Lewis T D	Rainey	Thorn
Bryan	Gardiner R	Lynn	Reilley	Treat
Burns	Gardner C J	Mains	Reynolds	Ulmann
Cadin	Geoghan	Mansfield	Richter	Van Name
Conger	Griffith	Marson	Rider	Waite
Cooley	Hallock	Mathews	Roberts	Walrath
Coons	Hammond	McInerney	Robinson	Weekes
Cotton	Harburger	McKeown	Rogers	Wilson H
Daly				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2455) entitled "An act to amend chapter 143 of the Laws of 1892, entitled 'An act to incorporate the city of Niagara Falls,' and the acts amendatory thereof in reference to the terms of its officers." (Int. No. 1417.)

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 103 {
} NOES 00 {

Those who voted in the affirmative, were

Adams	DeGraw	Harris	Morgan	Sherer
Adler	Delaney	Hatch	Nye	Smith A R
Allds	Dempsey	Henry	O'Connell	Smith J L
Allston	Dickinson	Hitchcock	O'Malley	Smith J T
Apgar	Dooling	Holsten	Patton	Smith W H
Babcock	Duross	Hyman	Phillips	Snyder
Baker	Dusinbery	Irwin	Plank	Stevens
Bedell	Egan	Juengst	Poth	Swarts
Burnett	Everett	Kaiser	Prince	Swift
Blackwell	Fish	Keenan	Reilley	Thorn
Brill	Fisher	Kelly	Remsen	Traub
Bruckner	Fitzgerald	Kelsey	Richter	Treat
Bryan	Fitzpatrick	Landon	Rierdon	Ulmann
Burns	Fowler	Leggett	Roberts	Vacheron
Cadin	Frisbie	Lewis M E	Rodenbeck	Van Name
Conger	Gardiner R	Lynn	Rogers	Waite
Cook	Gardner C J	Mansfield	Ruehl	Walrath
Coons	Graeff	Mathews	Sanders	Weber
Cotton	Hallock	McKeown	Scanlon	Weekes
Coughtry	Halpin	McMillan	Seymour	Wilson H
Darrison	Hanford	McQuade		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the Senate bill (No. 2414) entitled "An act to amend the Penal Code relating to the sentencing of convicts to State prisons." (Rec. No. 255.)

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 95 }
 } NOES 00 }

Those who voted in the affirmative, were

Adams	Davis	Hatch	Mathews	Rodenbeck
Adler	Delaney	Henry	McKeown	Ross
Ahern	Dickey	Hitchcock	McMillan	Ruehl
Allds	Dooling	Honeck	McQuade	Scanlon
Apgar	Duross	Irwin	Meister	Schneider
Babcock	Egan	Juengst	Morgan	Sherer
Baum	Everett	Kaiser	O'Brien	Smith J E
Bell	Fish	Keenan	O'Connell	Smith J L
Blackwell	Fitzgerald	Kelly	Orr	Smith S W
Brill	Fordyce	Kelsey	Patton	Snyder
Bruckner	Frisbie	Knipp	Phipps	Stevens
Burnett	Gardner C J	Landon	Plank	Swarts
Cadin	Geoghan	Leggett	Poth	Thorn
Conger	Griffith	Lewis M E	Prince	Treat
Cook	Hallock	Lewis T D	Reilley	Vacheron
Cooley	Hammond	Lynn	Reynolds	Waite
Costello	Hanford	Mains	Richter	Weber
Coughtry	Harburger	Mansfield	Rierdon	Weekes
Daly	Hasenflug	Marson	Robinson	Wilson H

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same with amendments.

On request of Mr. Kelly, the Senate bill (No. 1369) entitled "An act to amend section 55 of the Insurance Law, in relation to insurance upon the lives of minors" (Rec. No. 433) was referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

On request of Mr. Kelly, the Senate bill (No. 1473) entitled "An act to incorporate the Inebriates' Home for New York city and to provide funds for the maintenance thereof" (Rec. No. 444), was referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

On request of Mr. Knipp, the Senate bill (No. 1181) entitled "An act to amend chapter 112 of the Laws of 1896, entitled 'An act in relation to the traffic in liquors, and for the taxation and regulation of the same, and to provide for local option, constituting chapter 29 of the general laws,' as amended by chapter 312 of the Laws of 1897, by chapter 167 of the Laws of 1898, by chapters 398 and 434 of the Laws of 1899, and by chapters 257 and 367 of the Laws of 1900" (Rec. No. 334), was referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Allds gave notice that he requests that the bill (No. 2457) entitled "An act to provide for the support and maintenance of the several State prisons, and the Eastern New York Reformatory, and for the ordinary repairs thereof" (Int. No. 264), be referred to the committee on rules, for the purpose of making said bill a special order.

Mr. Fitzgerald gave notice that he requests that the bill (No. 2456) entitled "An act to amend section 651 of the Penal Code, relative to unlawful interference with electric meters and wires" (Int. No. 1222), be referred to the committee on rules, for the purpose of making said bill a special order on third reading.

Mr. Fish gave notice that he requests that the bill (No. 2462) entitled "An act to amend section 1 of chapter 378 of the Laws of 1883, entitled 'An act in relation to receivers of corporations,' relative to actions brought against corporations" (Int. No. 1520), be referred to the committee on rules, for the purpose of making said bill a special order on second and third reading.

Mr. Ahern gave notice that he requests that the bill (No. 2519) entitled "An act authorizing the superintendent of the county poor of Albany county to hear, audit, and determine, the claim of the Catholic Male Orphan Asylum of Troy, N. Y., and make an award thereon" (Int. No. 1253), be referred to the committee on rules, for the purpose of making said bill a special order on second and third reading.

Mr. Ahern gave notice that he requests that the bill (No. 2430) entitled "An act relating to Mt. Magdalen School of Industry and Reformatory of the Good Shepherd in the city of Troy and commitments thereto" (Int. No. 1628), be referred to the committee on rules, for the purpose of making said bill a special order on second and third reading.

Mr. Coughtry gave notice that he requests that the bill (No. 2485) entitled "An act to amend chapter 444 of the Laws of 1866, entitled 'An act to create a board of public instruction in the city of Albany; to establish free schools therein, and amendatory of the several acts relating to the district schools in said city,' relating to appointments by the board" (Int. No. 1384), be referred to the committee on rules, for the purpose of making said bill a special order on third reading.

Mr. Cooley gave notice that he requests that the bill (No. 2507) entitled "An act authorizing villages of the fourth class containing a territory of less than one square mile to acquire private streets as parkways and providing for the maintenance thereof" (Int. No. 1585), be referred to the committee on rules, for the purpose of making said bill a special order on third reading.

Mr. DeGraw gave notice that he requests that the bill (No. 2512) entitled "An act making an appropriation for the relief and maintenance of 'the United States Volunteer Life Saving Corps of the State of New York (inland waters)'" (Int. No. 946), be referred to the committee on rules, for the purpose of making said bill a special order on second and third reading.

Mr. Morgan gave notice that he requests that the Senate bill (No. 1086, Assembly reprint No. 2176) entitled "An act to provide for the appointment of a commissioner of jurors and to provide for a special jury in civil and criminal actions in each county of the State having a population of 1,000,000 or more, according to the last preceding federal census" (Rec. No. 272), be referred to the committee on rules, for the purpose of making said bill a special order on second and third reading on Tuesday, April 16th.

Mr. Harris gave notice that he requests that the bill (No. 2370) entitled "An act to amend an act entitled 'An act to incorporate the city of Johnstown,' being chapter 568 of the Laws of 1895, relative to opening, altering, extending and laying out streets" (Int. No. 1599), be referred to the committee on rules, for the pur-

pose of making said bill a special order on second and third reading.

Mr. Harris gave notice that he requests that the bill (No. 2425) entitled "An act to authorize the Comptroller of the State to hear and determine the application of Charles C. Cozine for cancellation of the tax sales of great lot No. 3, patent 7, Bergen's purchase, Hamilton county, for unpaid taxes" (Int. No. 1623), be referred to the committee on rules, for the purpose of making said bill a special order on second and third reading.

Mr. Morgan gave notice that he requests that the Senate bill (No. 1115, Assembly reprint No. 2510) entitled "An act to provide for the representation of the State of New York at South Carolina, interstate and West Indian exposition at Charleston, South Carolina, and making an appropriation therefor" (Rec. No. 273), be referred to the committee on rules, for the purpose of making said bill a special order on second and third reading.

Mr. Brill gave notice that he requests that the bill (No. 2391) entitled "An act to amend the Public Health Law, relative to the practice of veterinary medicine and surgery" (Int. No. 1603), was referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Bryan gave notice that he requests that the bill (No. 2481) entitled "An act to amend section 18 of chapter 21 of the Laws of 1886, entitled 'An act providing for commutation of sentences for good behavior of convicts in the prisons and penitentiaries in this State,' relative to insane criminals" (Int. No. 1615), be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Fowler gave notice that he requests that the bill (No. 2529) entitled "An act to amend chapter 15 of the Laws of 1843, entitled 'An act to incorporate the Westfield Cemetery Corporation' in relation to the amount of land which such corporation is authorized to acquire and hold" (Int. No. 1674), be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Bennett gave notice that he requests that the bill (No. 2191) entitled "An act to amend section 2632 of the Code of Civil Procedure, in relation to the record of certain wills" (Int. No. 1513), be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Griffith gave notice that he requests that the bill (No. 2527) entitled "An act to amend the Consolidated School Law, relative to the dissolution of school districts, etc." (Int. No. 1604), be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Griffith gave notice that he requests that the bill (No. 2464) entitled "An act to amend section 36 of the University Law as to establishment and support of public libraries" (Int. No. 1644), be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Rogers gave notice that he requests that the bill (No. 1787) entitled "An act to amend the Tax Law in relation to redemption from tax sales" (Int. No. 1308), be referred to the committee on rules for the purpose of making said bill a special order on third reading.

Mr. Allds gave notice that he requests that the Senate bill (No. 1393) entitled "An act to amend the State Finance Law, relating to the deposit of State moneys" (Rec. No. 407), referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Allds gave notice that he requests that the Senate bill (No. 1381) entitled "An act to amend chapter 478 of the Laws of 1893, entitled 'An act to incorporate the city of Olean,' and the acts amendatory thereof" (Rec. No. 414), referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Graeff gave notice that he requests that the bill (No. 2390) entitled "An act making an appropriation for the construction of buildings for the New York State Hospital, for the treatment of incipient pulmonary tuberculosis" (Rec. No. 145), be referred to the committee on rules for the purpose of making said bill a special order on third reading.

Mr. Bedell gave notice that he requests that the Senate bill (No. 1316) entitled "An act to enable any person or persons whose rights have been impaired by the action of any municipality in the State in derogation of its grant or covenant to bring an action" (Rec. No. 411), be referred to the committee on rules, for the purpose of making said bill a special order on second and third reading.

Mr. Bedell gave notice that he requests that the Senate bill (No. 1079) entitled "An act to amend section 100 of the Railroad Law, in relation to motive power of street surface railroads in the counties of Herkimer and Hamilton" (Rec. No. 283), be referred to the committee on rules, for the purpose of making said bill a special order on second and third reading.

Mr. Bedell gave notice that he requests that the Senate bill (No. 450) entitled "An act to amend chapter 309 of the Laws of 1898, being an act entitled 'An act in relation to the compensation of justices of the Supreme Court designated to the Appellate Division of the second department, from any district other than the second judicial district'" (Rec. No. 330), be referred to the committee on rules, for the purpose of making said bill a special order on second and third reading.

Mr. McQuade gave notice that he requests that the Senate bill (No. 842, Assembly reprint No 2483) entitled "An act to amend chapter 18 of the Laws of 1862, entitled 'An act to revise the charter of the city of Utica,' and the acts amendatory thereof and supplementary thereto, relative to the tax budget, etc." (Rec. No. 173), be referred to the committee on rules, for the purpose of making said bill a special order on second and third reading.

Mr. Allds gave notice that he requests that the bill (No. 2504) entitled "An act to amend the Legislative Law, relative to officers and employes of the Senate and Assembly and their compensation" (Int. No. 1556), be referred to the committee on rules, for the purpose of making said bill a special order on second and third reading.

Mr. Walrath gave notice that he requests that the Senate bill (No. 1429) entitled "An act to amend chapter 171 of the Laws of 1901, entitled 'An act to amend chapter 451 of the Laws of 1899, entitled An act to enable persons who have deposited money in a bank and have lost the certificate, or the same has been destroyed, to draw the money due thereon, relating to the satisfaction and discharge of bonds or undertakings given to secure the payment of such certificates'" (Rec. No. 430), be referred to the committee on rules, for the purpose of making said bill a special order on third reading.

Mr. S. W. Smith gave notice that he requests that the Senate bill (No. 1285) entitled "An act to amend the Agricultural Law, entitled 'An act in relation to agriculture, constituting articles 1,

2, 3, 4 and 5 of chapter 33 of the general laws,' as amended by chapter 113 of the Laws of 1898, to prevent fraud in the sale of paris green" (Rec. No. 404), be referred to the committee on rules, for the purpose of making said bill a special order on second and third reading.

Mr. S. W. Smith gave notice that he requests that the Senate bill (No. 1430) entitled "An act to amend chapter 645 of the Laws of 1898, entitled 'An act in relation to printing in penal institutions in the State'" (Rec. No. 437), be referred to the committee on rules, for the purpose of making said bill a special order on second and third reading.

Mr. Mansfield gave notice that he requests that the Senate bill (No. 1083) entitled "An act to amend the Highway Law, being chapter 19 of the general laws" (Rec. No. 276), be referred to the committee on rules, for the purpose of making said bill a special order on second and third reading.

Mr. Wilson gave notice that he requests that the Senate bill (No. 606) entitled "An act to extend the time of the New York State Title Guarantee Company to pay in the remaining two-thirds of its capital stock" (Rec. No. 185), be referred to the committee on rules, for the purpose of making said bill a special order on second and third reading.

Mr. McKeown gave notice that he requests that the Senate bill (No. 1200, Assembly reprint No. 2530) entitled "An act to lay out, establish, build and maintain a causeway, bridge or viaduct for use as a public street across the Jerome park reservoir, from Jerome avenue to Sedgwick avenue in the city of New York" (Rec. No. 328), be referred to the committee on rules, for the purpose of making said bill a special order on second and third reading.

Mr. Fordyce gave notice that he requests that the Senate bill (No. 1247) entitled "An act to amend section 6 of chapter 133 of the Laws of 1882, relative to collection of taxes levied in the county of Cayuga" (Rec. No. 357), be referred to the committee on rules, for the purpose of making said bill a special order on second and third reading.

Mr. Patton gave notice that he requests that the Senate bill (No. 1324) entitled "An act to amend the Town Law and the acts amendatory thereof, relating to justices of the peace and town clerks" (Rec. No. 376), be referred to the committee on rules

for the purpose of making said bill a special order on second and third reading.

Mr. Bedell gave notice that he requests that the Senate bill (No. 1505) entitled "An act to amend the County Law, in relation to the salary of the county judge and surrogate of Orange county" (Rec. No. 462), be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Cooley gave notice that he requests that the Senate bill (No. 1370) entitled "An act to amend chapter 128 of the Laws of 1899, entitled 'An act to incorporate the city of New Rochelle,' as amended by chapters 462 and 550 of the Laws of 1900" (Rec. No. 387), be referred to the committee on rules for the purpose of making said bill a special order on third reading.

Messrs. Griffith and Graeff gave notice that they request that the Senate bill (No. 998) entitled "An act to authorize the construction of a wrought iron or steel bridge over the Erie canal west of the upper Mohawk aqueduct and for the construction of the approaches thereto, and making an appropriation therefor" (Rec. No. 389), be referred to the committee on rules for the purpose of making said bill a special order on reading.

Mr. O'Malley gave notice that he requests that the Senate bill (No. 1258) entitled "An act to amend chapter 59 of the Laws of 1882, entitled 'An act to incorporate the Buffalo Merchants' Exchange,' and the acts amendatory thereof and supplementary thereto" (Rec. No. 379), be referred to the committee on rules for the purpose of making said bill a special order on third reading.

Mr. Hill gave notice that he requests that the Senate bill (No. 1392) entitled "An act releasing to the owners of adjoining lands, parts of Albany street, in the city of Buffalo" (Rec. No. —), be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Fordyce gave notice that he requests that the Senate bill (No. 1278) entitled "An act authorizing the common council of the city of Auburn to borrow money on the credit of said city and issue its bonds to the amount not exceeding \$30,000, the avails to be used for paving portions of East Genesee and Genesee streets, in said city, during the year 1901, and to include

the amount of said bonds, maturing each year, with the interest on bonds unpaid, in the tax budget of that year, until all bonds issued under the provisions of this act are fully paid and retired " (Rec. No. 369), be referred to the committee on rules for the purpose of making said bill a special order on third reading.

Mr. Morgan gave notice that he requests that the Senate bill (No. 1273) entitled "An act to amend sections 1097, 1099, 1100, 1101 and 1132 of the Code of Civil Procedure relating to trial jurors in the counties of New York and Kings" (Rec. No. 370), be referred to the committee on rules for the purpose of making said bill a special order on second and third reading for April 17, 1901.

Mr. Doughty gave notice that he requests that the Senate bill (No. 761) entitled "An act to provide for rebuilding, recopying and transcribing certain books and records in the office of the clerk of the county of Queens" (Rec. No. 408), be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Harris gave notice that he requests that the Senate bill (No. 985) entitled "An act to provide for establishing the south boundary line and a portion of the southwest boundary line of the county of Saint Lawrence and the south boundary line of the county of Franklin and making an appropriation therefor" (Rec. No. 241), be referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Morgan gave notice that he requests that the bill (No. 1403) entitled "An act to repeal chapter 378 of the Laws of 1896, entitled 'An act providing for a special jury in criminal cases in each county of the State having a certain population, and for the mode of selecting and procuring such special juries; also, creating a special jury commissioner for each of such counties and regulating and prescribing his duties' " (Int. No. 1112), be referred to the committee on rules for the purpose of making said bill a special order for second and third reading, on April 17, 1901.

Mr. Costello gave notice that he requests that the bill (No. 1497) entitled "An act to amend the Forest, Fish and Game Law, relative to close season for black bass in certain localities" (Int.

No. 1158), be referred to the committee on rules for the purpose of making said bill a special order.

A message from the Governor, by the hand of his secretary, was received and read, in the words following:

STATE OF NEW YORK—EXECUTIVE CHAMBER,
ALBANY, April 12, 1901.

To the Assembly:

Assembly bill No. 1317, entitled "An act to grant and release to John Cass all right, title and interest of the people of the State of New York, in and to certain real estate in the city of New York," is herewith returned without approval.

Article 4 of the law relating to escheat lands confers upon the Commissioners of the Land Office ample power and authority to release lands, the title to which has escheated to the State, upon a petition being presented setting forth the facts presented in such article.

For this reason I do not think the bill should receive executive approval.

B. B. ODELL, JR.

On motion of Mr. Bennet, said bill together with said message, was laid upon the table.

Also, the following:

STATE OF NEW YORK—EXECUTIVE CHAMBER,
ALBANY, April 12, 1901.

To the Assembly:

Assembly bill No. 208, entitled "An act to release to Franciska Stierle (formerly Franciska Braun) all the right, title and interest of the people of the State of New York in and to certain real estate in the borough of the Bronx, in the county of New York, acquired by escheat or otherwise upon the death of Conrad Braun, deceased," is herewith returned without approval.

Article 4 of the Land Law, relating to escheat lands, confers upon the Commissioners of the Land Office ample power and authority to release lands, the title to which has escheated to the State, upon a petition being presented setting forth the facts presented in such article.

For this reason I do not think the bill should receive executive approval.

B. B. ODELL, JR.

On motion of Mr. Bruckner, said bill with said message, was laid upon the table.

Also, the following:

STATE OF NEW YORK—EXECUTIVE CHAMBER,
ALBANY, April 11, 1901.

To the Assembly:

Assembly bill No. 1500, entitled "An act for the relief of the town of Morehouse in the county of Hamilton," is herewith returned without approval.

This proposed measure relates to a cancellation of taxes made December 17, 1900, against certain lands in Lawrence Patent, Hamilton county, for the years from 1866 to 1892 inclusive, which had been previously cancelled by the State Comptroller and charged back to Hamilton county. They were omitted from the accounts of unpaid taxes of 1893, 1894 and 1896, on the assumption that they had been properly relieved by the board of supervisors of Hamilton county.

The property in question subsequently came into the possession of the State in connection with the purchase of lands for the Adirondack Park. It is now sought by this act to authorize the board of supervisors of Hamilton county to levy upon these lands taxes which were not properly placed upon the assessment rolls. Should the proposed measure become a law the result would be that the State, now the owner of the lands, would be obliged to pay the taxes, amounting to about \$3,100, and would be put to the expense of an action to recover from the grantors of the land the amount thus paid. As the mistake was made by the town or county officials through negligence it would not be right that anyone outside of those directly responsible for it should be held accountable.

For this reason I return the bill without approval.

B. B. ODELL, JR.

On motion of Mr. Harris, said bill, together with said message, was laid upon the table.

Also, the following:

STATE OF NEW YORK—EXECUTIVE CHAMBER,
ALBANY, April 11, 1901.

To the Assembly:

Assembly bill No. 1570, entitled "An act to authorize the town of Elbridge in the county of Onondaga to reimburse Byron Chatfield for town moneys lost by the failure of Rodger & Co. and to release said Chatfield from liability to said town for said money so lost," is herewith returned without approval.

The purpose of this bill is set forth in its title. While it may be a hardship to Mr. Chatfield to bear the loss, yet his responsi-

bility for it has been clearly established by a decision of the Court of Appeals, holding that public officers having the custody of public moneys are ex virtute officii insurers of the same and are responsible for the loss thereof, although incurring without their fault or negligence (*Tillinghast vs. Merrill*, 151 N. Y. 135). The liability of Mr. Chatfield to the town for the loss of the money being unquestioned, the attempt to transfer the loss from the official to the town and to raise the money to reimburse him by a tax on the owners of real and personal property therein, would be a violation of article 8, section 10 of the State Constitution.

This being so, I do not think the bill should receive executive approval.

B. B. ODELL, JR.

On motion of Mr. Baker, said bill, together with said message, was laid upon the table.

Mr. Speaker announced the special order, being the bill (No. 2375) entitled "An act to extend and regulate liability of employers to employes and others for injuries suffered by them." (Int. No. 38.)

Said bill having been announced for a third reading,

Mr. McKeown raised a point of order.

Mr. McKeown: This bill, Mr. Speaker, was introduced and its number is 38. It now bears two additional numbers, which implies that it has been amended twice in committee. There is nothing in the internal part of the bill to show when it was amended. I raise that as a point of order.

A few minutes ago almost by unanimous consent this House changed one of the rules, rule No. 9. They changed it almost in deference to their good opinion of the Speaker. They left it entirely within the hands of the Speaker when that rule was violated that he enforce it; that is, they took the obligatory authority out of that rule.

Mr. Speaker: The Chair in ruling upon the point of order would say in explanation of the rule when it was adopted last year it was the intent of the committee on rules that underscoring should in no manner apply to a proposed law; that it only should apply to amendments to existing law. That was the construction placed by the rules committee upon the rule as it was printed in the Blue Book this year. The Chair, however, has held that the language was such referring to all bills that they

should come within the scope of the rule, and has so held previous to this evening. The Chair, however, feels that that rule is not necessary so far as the amendment is concerned to a bill which is not already upon the statute book, because it is all new matter and the question of underscoring carries nothing with it by way of explanation.

Mr. McKeown: Let me submit a question to the Speaker——

Mr. Speaker: The gentleman from Kings.

Mr. McKeown: In the event of a bill being introduced that was entirely a miscarriage, and the introducer had it amended in committee—— Now it goes to the committee in the manner supposed to be—— in the manner in which it was introduced, yet it is in different form and vicious in its character. Now, it occurs to me that that rule was to provide for just such things as this bill now intends to do. That is, introduced in a simple manner and amended to make it vicious; yet no manner of finding out as to what the amendments are in the committee. Now, that is the reason.

Mr. Speaker: The gentleman from Kings can ascertain the amendments made by the committee, undoubtedly, from the chairman of the committee.

Mr. McKeown: Well, I question that, Mr. Speaker.

Mr. Speaker: The Chair holds the point of order not well taken.

Mr. O'Connell moved that said bill be recommitted to the committee on labor and industries, with instructions to report the same forthwith amended as follows:

Strike out all after the enacting clause and insert the following:

Section 1. Whenever, hereafter, personal injury is caused to an employe, who is free from negligence contributing thereto and is himself in the exercise of due care and diligence at the time:

1. By reason of any defect in the condition of the ways, works, or machinery connected with or used in the business of the employer, which arose from or had not been discovered or remedied owing to the negligence of the employer or of any person in the service of the employer whose duty is that of keeping the ways, works or machinery in proper condition; or

2. By reason of the negligence of any person in the service of the employer intrusted with and exercising superintendence whose duty is that of superintendent, or, in the absence of such

superintendent, of any person acting as such superintendent, with the authority or consent of such employer; or

3. By reason of the negligence of any person in the service of the employer who has charge or control of any signal, switch locomotive engine, or train upon a railroad;

Such employe shall have the same right of compensation and remedies against the employer as if the employe had not been an employe of nor in the service of the employer, nor engaged in his work, or in case such injury results in the death of such employe the right of action by the personal representatives of such employe to recover a fair and just compensation for the pecuniary injuries resulting from such employe's death to the husband, wife and next of kin of such employe, shall be the same under and by virtue of the provisions of sections nineteen hundred and two, nineteen hundred and three, nineteen hundred and four and nineteen hundred and five of the code of civil procedure as if such employe had not been an employe of nor in the service of the employer nor engaged in his work.

§ 2. A car in use by or in the possession of a railroad company shall be considered a part of the ways, works or machinery of the company using or having the same in possession within the meaning of this act, whether such car is owned by it or by some other company or person.

§ 3. An action cannot be maintained under this act by an employe in case of injury, or by his personal representatives in case of death, against the employer, if such employe by his own negligence contributed to his injury or death, nor if such employe knew of the defect or negligence which caused the injury or death, and failed within a reasonable time after such knowledge to give or cause to be given information and notice thereof in writing to his employer or to some person in the service of his employer charged with the duty of inspecting and repairing, or causing to be repaired or corrected, the defect or negligence; nor can any action for the recovery of damages or compensation for injury, or death hereafter caused by negligence be maintained by any person either by virtue of the provisions of this act, or otherwise, unless notice of the time, place and cause of the injury or death shall have been given to the party against whom the action is brought within sixty days after the accident or occurrence causing such injury or death, nor unless the action to recover the damages resulting from such injury or death is commenced within one year after the accident or occurrence causing such injury or death. The last above-mentioned notice in the case of injury shall be in writing, signed by the person injured or by some one authorized by him to act in his behalf, but if

from mental incapacity as the result of such injury it is impossible for the person injured to give or to authorize another in his behalf to give such notice within such sixty days, then such notice may be given by any relative of such person within such sixty days, and in case of death without such notice having been given where the person injured has not been for ten days at any one time after his injury of sufficient mental capacity to give or authorize such notice to be given, such notice may be given by the husband, wife, or any of the next of kin or personal representatives of the deceased within ten days after the death of the person injured. Nothing herein contained with regard to the giving of notice shall, however, be so construed as to extend the time within which an action for the personal injury or death may be brought as in this section provided. But no notice given under the provisions of this section shall be deemed to be invalid or insufficient solely by reason of any inaccuracy in stating the time, place or cause of the injury, if it is shown that there was no intention to mislead, and that the party entitled to notice was not in fact misled thereby.

§ 4. Any employer who shall have contributed to an insurance fund created and maintained for the mutual purpose of indemnifying an employe for personal injuries for which personal compensation may be recovered under this act, or to any relief society formed under the laws of this state, may prove in mitigation of the damages recoverable by an employe under this act, such proportion of the pecuniary benefit which has been received by such employe from any such fund or society on account of such contribution of said employer, as the contribution of such employer to such fund or society bears to the whole contribution thereto.

§ 5. Whenever an employer enters into a contract, either written or verbal, with an independent contractor to do part of such employer's work, or whenever such contractor enters into a contract with a sub-contractor to do all or any part of the work comprised in such contractor's contract with the employer, such contract or sub-contract shall not bar the liability of the employer for injuries to the employe of such contractor or sub-contractor, by reason of any defect in the condition of the ways, works, machinery or plant, if they are the property of the employer, or furnished by him, and if such defect arose or had not been discovered or remedied, through the negligence of the employer or of some person intrusted by him with the duty of seeing that they were in proper condition.

§ 6. No person or corporation shall by any special contract with persons in his or its employ exempt himself or itself from any liability, or by any special contract, limit the extent of any

liability which he or it might otherwise be under to such persons for injuries suffered by them in their employment and which result from the employer's own negligence or of other persons in his or its employ; nor shall make any contract with any person in his or its employ or about to enter his or its employ whereby they shall assume any risk or responsibility for personal injuries resulting from the negligence of such employer, his or its agents or servants. Any such contract or agreement entered into in violation of the provisions of this section shall be null and void as against public policy.

§ 7. This act shall take effect June first, nineteen hundred and one.

Debate was had thereon, when

Mr. Allds moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. O'Connell, and it was determined in the negative.

{ AYES 59 }
{ NOES 62 }

Those who voted in the affirmative, were

Ahern	Daly	Harburger	McMillan	Ruehl
Allston	Delaney	Hawkins	McQuade	Sanders
Baum	Dickey	Holsten	Meister	Scanlon
Blackwell	Egan	Honeck	O'Connell	Schneider
Bradley	Fitzgerald	Hyman	Patton	Smith J E
Brooks	Fitzpatrick	Juengst	Poth	Smith W H
Bruckner	Fowler	Kaiser	Prince	Traub
Burnett	Frisbie	Keenan	Rainey	Ulmann
Burns	Gardiner R	Kelly	Reilley	Van Name
Cadin	Geoghan	Lynn	Richter	Waite
Cooley	Halpin	McInerney	Rider	Walrath
Coons	Hammond	McKeown	Rierdon	

Those who voted in the negative, were

Allds	Doughty	Hitchcock	Orr	Sherer
Apgar	Dusinbery	Irwin	Phillips	Smith A R
Babcock	Everett	Kelsey	Phipps	Smith J L
Baker	Fancher.	Knipp	Plank	Smith J T
Bedell	Fish	Landon	Platt	Smith S W
Bell	Fisher	Lewis M E	Price	Snyder
Bennet	Fordyce	Mansfield	Remsen	Stevens

Brill	Graeff	Marson	Reynolds	Swarts
Conger	Griffith	Morgan	Rodenbeck	Swift
Costello	Hallock	Nye	Rogers	Vacheron
Coughtry	Harris	O'Brien	Salyerds	Weber
Davis	Hatch	O'Malley	Seymour	Wilson H
Dickinson	Henry			

Debate was had on the third reading of said bill, when Mr. Allds moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the negative.

Mr. M. E. Lewis in the chair.

Mr. Allds moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded:

Ahern	Daly	Harburger	Meister	Ruehl
Allds	Darrison	Harris	Morgan	Salyerds
Allston	Davis	Hatch	Nye	Sanders
Apgar	Delaney	Hawkins	O'Brien	Scanlon
Babcock	Dickey	Henry	O'Connell	Schneider
Baker	Dickinson	Hitchcock	O'Malley	Seymour
Baum	Doughty	Holsten	Orr	Sherer
Bedell	Dusinbery	Honeck	Patton	Smith A R
Bell	Egan	Hyman	Phillips	Smith J E
Bennet	Ellis	Irwin	Phipps	Smith J L
Blackwell	Everett	Juengst	Plank	Smith J T
Bradley	Fancher	Kaiser	Platt	Smith S W
Brill	Fish	Keenan	Poth	Smith W H
Brooks	Fisher	Kelly	Price	Snyder
Bruckner	Fitzgerald	Kelsey	Prince	Stevens
Bryan	Fitzpatrick	Knipp	Rainey	Swarts
Burnett	Fordyce	Landon	Reilley	Swift
Burns	Fowler	Lewis M E	Remsen	Thorn
Cadin	Frisbie	Lewis T D	Reynolds	Traub
Conger	Gardiner R	Lynn	Richter	Ulmann
Cook	Geoghan	Mansfield	Rider	Vacheron
Cooley	Graeff	Marson	Rierdon	Van Name
Coons	Griffith	McInerney	Rodenbeck	Waite
Costello	Hallock	McKeown	Rogers	Weber
Cotton	Halpin	McMillan	Ross	Wilson H
Coughtry	Hammond	McQuade		

Mr. Allds moved that all further proceedings under the call of the House be suspended.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

On motion of Mr. Allds, the House adjourned.

TUESDAY, APRIL 16, 1901.

The House met pursuant to adjournment.

Prayer by Rev. Charles McKenzie.

On motion of Mr. Allds, the reading of the journal of yesterday was dispensed with and the same was approved.

The Senate sent for concurrence the bill (No. 1463) entitled "An act to amend chapter 25 of the Laws of 1870, entitled 'An act to incorporate the city of Rome,' relating to assessors, their duties and powers" (Rec. No. 442), which was read the first time.

On motion of Mr. Marson, and by unanimous consent, said bill was read the second time and ordered to a third reading.

On motion of Mr. Marson, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{	AYES	90	}
{	NOES	00	}

Those who voted in the affirmative, were

Adams	Daly	Harburger	McMillan	Ruehl
Adler	Darrison	Hasenflug	McQuade	Sanders
Allds	DeGraw	Hawkins	Meister	Scanlon
Allston	Dempsey	Hitchcock	Nye	Schneider
Apgar	Dooling	Holsten	O'Connell	Sherer

Babcock	Doughty	Hyman	O'Malley	Smith J E
Baum	Dusinbery	Juengst	Patton	Smith J L
Bell	Ellis	Kaiser	Phipps	Smith S W
Bennet	Fancher	Keenan	Plank	Snyder
Bradley	Fisher	Kelsey	Poth	Sullivan
Brill	Fitzgerald	Knipp	Price	Swarts
Brooks	Fitzpatrick	Leggett	Rainey	Thorn
Bryan	Frisbie	Lewis M E	Remsen	Treat
Burns	Galbraith	Lynn	Richter	Vacheron
Cadin	Geoghan	Mains	Rider	Waite
Cook	Griffith	Mansfield	Roberts	Walrath
Coons	Halpin	Mathews	Rodenbeck	Weekes
Coughtry	Hammond	McInerney	Rogers	Wilson H

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate sent for concurrence the bill (No. 1462) entitled "An act to ratify and legalize the franchise and agreement granted and made by and between the common council of the city of Rome, N. Y., and the Rome City Street Railway Co." (Rec. No. 443), which was read the first time.

On motion of Mr. Marson, and by unanimous consent, said bill was read the second time and ordered to a third reading.

On motion of Mr. Marson, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{	AYES	90	}
{	NOES	00	}

Those who voted in the affirmative, were

Adams	Daly	Hallock	Mansfield	Ruehl
Adler	Davis	Hammond	Mathews	Sanders
Ahern	Delaney	Hanford	McInerney	Schneider
Allston	Dempsey	Harris	McMillan	Sherer
Axtell	Dickinson	Hatch	McQuade	Smith J E
Babcock	Doughty	Henry	Morgan	Smith J L

Baum	Dusinbery	Hitchcock	O'Brien	Smith S W
Bedell	Ellis	Honeck	O'Connell	Smith W H
Blackwell	Fancher	Juengst	Patton	Stevens
Bradley	Fisher	Kaiser	Phipps	Swarts
Brooks	Fitzgerald	Keenan	Platt	Swift
Bruckner	Fitzpatrick	Kelly	Poth	Treat
Burnett	Fordyce	Kelsey	Prince	Vacheron
Burns	Fowler	Knipp	Reilley	Van Name
Conger	Frisbie	Landon	Richter	Waite
Cook	Gardiner R	Lewis M E	Rierdon	Walrath
Coons	Geoghan	Lynn	Robinson	Weber
Cotton	Griffith	Mains	Rogers	Wilson H

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. M. E. Lewis introduced a bill entitled "An act to authorize and empower the city of Rochester to enter into a contract with the Rochester Railway Company, adjusting and settling all differences between the city and said railway company as to the amount due and owing from the company to the city pursuant to section 98 of the Railway Law, and providing for the payment of the same" (Int. No. 1679), which was read the first time and referred to the committee on rules.

Mr. Seymour introduced a bill entitled "An act to authorize the New York and London Trust Company to increase the number of its directors" (Int. No. 1680), which was read the first time and referred to the committee on rules.

By unanimous consent,

Mr. Kelly introduced a bill entitled "An act to incorporate the Albany and Rensselaer Bridge Company, for the purpose of conducting, maintaining and operating a bridge across the Hudson river, at the city of Albany, and the necessary appurtenances and approaches to said bridge" (Int. No. 1681), which was read the first time and referred to the committee on rules.

By unanimous consent,

Mr. Bennet introduced a bill entitled "An act to repeal chapter 107 of the Laws of 1875, entitled 'An act in relation to the treatment of animals'" (Int. No. 1682), which was read the first time and referred to the committee on rules.

By unanimous consent,

Mr. Fish introduced a bill entitled "An act to amend the Insurance Law relating to title and credit guaranty corporations" (Int. No. 1683), which was read the first time and referred to the committee on rules.

By unanimous consent,

Mr. O'Malley introduced a bill entitled "An act to amend subdivision 11 of section 41 of the Penal Code, relative to misdemeanors at or in connection with enrollment in political parties" (Int. No. 1684), which was read the first time and referred to the committee on rules.

By unanimous consent,

Mr. O'Malley introduced a bill entitled "An act to enable Charles E. Abbott to take the necessary examinations for admission to practice medicine in this State" (Int. No. 1685), which was read the first time and referred to the committee on rules.

By unanimous consent,

Mr. Kelsey introduced a bill entitled "An act to amend the Greater New York charter, as amended by chapter ... of the Laws of 1901, relative to the police department" (Int. No. 1686), which was read the first time and referred to the committee on rules.

By unanimous consent,

Mr. Kelsey introduced a bill entitled "An act to amend the Greater New York charter, chapter 378 of the Laws of 1897, entitled 'An act to unite into one municipality, under the corporate name of the city of New York, the various communities lying in and about New York harbor, including the city and county of New York, the city of Brooklyn and the county of Kings, the count of Richmond and part of the county of Queens, and to provide for the government thereof,' relative to the department of education, as amended by chapter ... of the Laws of 1901" (Int. No. 1687), which was read the first time and referred to the committee on rules.

By unanimous consent,

Mr. Kelsey introduced a bill entitled "An act to amend the Greater New York charter, chapter 378 of the Laws of 1897, entitled 'An act to unite into one municipality, under the cor-

porate name of the city of New York, the various communities lying in and about New York harbor, including the city and county of New York, the city of Brooklyn and the county of Kings, the count of Richmond and part of the county of Queens, and to provide for the government thereof,' as amended by chapter ... of the Laws of 1901, relative to the board of City Record " (Int. No. 1688), which was read the first time and referred to the committee on rules.

By unanimous consent,

Mr. Kelsey introduced a bill entitled "An act to amend the Greater New York charter, as amended by chapter ... of the Laws of 1901, relative to the department of docks and ferries " (Int. No. 1689), which was read the first time and referred to the committee on rules.

By unanimous consent,

Mr. T. P. Sullivan introduced a bill entitled "An act to fix the compensation of the recorder, city judge and judges of the Court of General Sessions of the city and county of New York " (Int. No. 1690), which was read the first time and referred to the committee on rules.

By unanimous consent,

Mr. Delaney introduced a bill entitled "An act to exempt from the provisions of chapter 1 to 6 of the Laws of 1901 all plans and specifications filed with the building department of New York before 12 m. on April 13, 1901 " (Int. No. 1691), which was read the first time and referred to the committee on rules.

By unanimous consent,

Mr. M. E. Lewis introduced a bill entitled "An act to amend the Tax Law in relation to the taxation of trust companies " (Int. No. 1692), which was read the first time and referred to the committee on rules.

By unanimous consent,

Mr. Seymour introduced a bill entitled "An act to authorize the New York and London Trust Company to increase the number of its directors " (Int. No. 1693), which was read the first time and referred to the committee on rules.

Mr. Speaker—Chair hands down report of committee on rules.

Mr. McKeown—The proposition that we adjourned on last night was the pending question. The Costello bill is the pending question this morning.

Mr. Speaker—The special order calendar made by the committee on rules takes precedence of all things.

Mr. McKeown—The rules has no right to dispose of an order of business——

Mr. Speaker—No pending question——

Mr. McKeown—The rules has a right to report, but not a question; the pending question last night is the order of business——

Mr. Speaker—The gentleman from Kings is in error, so far as the order of business is concerned. The committee on rules has the right to make a special order calendar.

Mr. McKeown—They have the right; but they must suspend the rule.

Mr. Speaker—The gentleman from Kings is incorrect. The point of order is not well taken.

Mr. Speaker, from the committee on rules, to which was referred the bill introduced by Mr. Costello, Int. No. 1158, entitled "An act to amend the Forest, Fish and Game Law, relative to close season for black bass in certain localities" (No. 1497), reported in favor of the passage of the same with the following amendments, and that the same be made a special order on second and third reading immediately after the consideration of special orders on third reading heretofore reported:

Page 1, line 6, strike out the last word "and."

Same page, line 7, strike out the words "Oswego counties" and insert the words "county and that portion of Oswego county bordering on Lake Ontario."

Which report was agreed to, and said bill ordered reprinted, and when reprinted made a special order on second and third reading immediately after the consideration of the special orders on third reading heretofore reported.

Mr. Speaker, from the committee on rules, to which was the following entitled bills, reported in favor of the passage of the same without amendment, and that the same be made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported:

"An act to amend chapter 14 of the Laws of 1880, entitled 'An act to further amend chapter 143 of the Laws of 1861, enti-

tled An act to amend and consolidate the several acts in relation to the charter of the city of Rochester, and to consolidate therewith the several acts in relation to the charter of said city,' relative to expenses incident to improvements." (No. 2468, Int. No. 1648.)

"An act to amend chapter 14 of the Laws of 1880, entitled 'An act to further amend chapter 143 of the Laws of 1861, entitled An act to amend and consolidate the several acts in relation to the charter of the city of Rochester, and to consolidate therewith the several acts in relation to the charter of said city,' and to permit the common council of said city to grant rebates of interest and penalties on unpaid taxes and local assessments." (No. 2466, Int. No. 1646.)

"An act to amend section 641 of the Penal Code, to prevent employes of telegraph and telephonic companies aiding criminals in violating the laws of this State." (No. 1272, Int. No. 434.)

"An act to authorize the fire commissioner of the city of New York to grant certificates of discharge to volunteer firemen formerly members of the volunteer fire department of the city of New York." (No. 2195, Int. No. 1517.)

"An act to amend subsection 5 of section 34 of the University Law in relation to the powers of trustees of institutions in the University." (No. 2465, Int. No. 1645.)

"An act to amend the Forest, Fish and Game Law, in relation to penalties for unlawful taking or interfering with Antwerp or homing pigeons." (No. 2269, Int. No. 1547.)

"An act to amend chapter 448 of the Laws of 1900, entitled 'An act to provide for the drainage of the Conewango creek in the county of Chautauqua and making an appropriation and reappropriation therefor." (No. 2381, Int. No. 1090.)

"An act to amend the Railroad Law, in relation to the acquisition of property by street surface railroad corporations." (No. 2321, Int. No. 1575.)

Which report was agreed to, and said bills ordered made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported.

Mr. Speaker, from the committee on rules, to which was referred the following entitled bills, reported in favor of the

passage of the same without amendment, and that the same be made special orders on third reading immediately.

“An act to extend and regulate liability of employers to employes and others for injuries suffered by them.” (No. 2375, Int. No. 38.)

“An act to amend the Greater New York charter, relative to offensive trades in the several boroughs of the city of New York and to provide compensation for the persons conducting such trades upon the discontinuing of the same.” (No. 2452, Int. No. 971.)

“An act to amend section 56 of the Code of Criminal Procedure relating to jurisdiction of courts of special sessions.” (No. 2415, Int. No. 1405.)

“An act to amend chapter 360 of the Laws of 1898, entitled ‘An act to amend chapter 413 of the Laws of 1897, entitled An act relating to State finance, constituting chapter 10 of the general laws, and known as the State Finance Law, in reference to the education fund,’ in relation to the compensation of loan commissioners in connection with the sale of land acquired by foreclosure.” (No. 2377, Int. No. 228.)

“An act to amend chapter 312 of the Laws of 1898, entitled ‘An act increasing the jurisdiction of the city court of Albany and relative to a jury list in said court and regulating the practice therein,’ as amended by chapter 590 of the Laws of 1899.” (No. 2449, Int. No. 1642.)

“An act to amend chapter 385 of the Laws of 1862, entitled ‘An act to amend and consolidate the several acts relative to the city of Schenectady,’ in relation to providing means for payment of certain street improvements.” (No. 2434, Int. No. 1456.)

“An act authorizing the board of education of Union Free School District No. 1, of the town of Catskill, county of Greene, N. Y., to enter into an agreement in regard to the care and maintenance of a public library on lands owned by the Catskill Public library in said union free school district.” (No. 2120, Int. No. 1485.)

“An act to amend chapter 227 of the Laws of 1898, entitled ‘An act to create a public improvement commission in and for the city of Cohoes, and define its powers and duties,’ in relation

to street pavements, condemnation proceedings and assessments." (No. 2441, Int. No. 1634.)

"An act to empower the county of Westchester to pay to the Westchester County Society for the Prevention of Cruelty to Children, an amount not to exceed \$1,000 annually for the purposes for which said society was organized." (No. 2328, Int. No. 1582.)

"An act to amend section 1785 of the Code of Civil Procedure, in relation to actions to procure a judgment dissolving a corporation, created by or under the laws of the State, and forfeiting its corporate rights, privileges and franchises in certain cases." (No. 2399, Int. No. 1610.)

"An act to expedite requisitions for certifying copies of instruments of record in the office of the register of the county of New York." (No. 2445, Int. No. 1638.)

"An act to amend chapter 249 of the Laws of 1893, entitled 'An act to incorporate the Pythian Home,' in relation to the disposition of the fund." (No. 2458, Int. No. 1192.)

"An act to ratify and legalize the franchise and agreement granted and made by and between the common council of the city of Rome, N. Y., and the Rome City Street Railway Company." (No. 2447, Int. No. 1640.)

"An act to amend chapter 25 of the Laws of 1870, entitled 'An act to incorporate the city of Rome,' relating to assessors, their duties and powers." (No. 2442, Int. No. 1635.)

"An act to amend section 2 of chapter 341 of the Laws of 1895, in relation to the literature fund to be distributed to academic schools." (No. 2369, Int. No. 1598.)

"An act to provide for the payment and assessment of the cost of certain local improvements in the city of Rensselaer." (No. 2439, Int. No. 1632.)

"An act regulating tolls to be charged by turnpike, plank road or toll road companies exercising corporate franchises wholly or partly within the county of Onondaga for automobile trucks or carriages drawn or propelled over their carriage roads." (No. 2402, Int. No. 1612.)

"An act to amend the proceedings incorporating the Long Island Baptist Association." (No. 2446, Int. No. 1639.)

"An act to legalize the official acts of William L. Riley as

justice of the peace of the town of Chazy, county of Clinton." (No. 2280, Int. No. 1558.)

"An act to amend the Election Law, relative to independent nominations." (No. 2341, Int. No. 62.)

"An act to exempt from taxation certain lands, premises and property in Franklin county, owned by the Sisters of Mercy of the diocese of Ogdensburg." (No. 2423, Int. No. 1621.)

"An act in relation to the Fallsburgh and Monticello Railroad Company." (No. 2454, Int. No. 1459.)

"An act to amend section 131 of article 6 of the Tax Law, being chapter 24 of the general laws, as amended by chapter 339 of the Laws of 1898." (No. 2359, Int. No. 1588.)

"An act to amend the Real Property Law, relating to the descent of real property." (No. 1543, Int. No. 637.)

"An act for the promotion of agriculture, and making an appropriation for the State fair." (No. 1065, Rec. No. 288.)

Which report was agreed to, and said bills made special orders on third reading immediately.

Mr. Hatch, from the committee on revision, to which was referred the following entitled bill, reported the same without recommendations:

"An act to amend section 131 of article 6 of the Tax Law, being chapter 24 of the general laws, as amended by chapter 339 of the Laws of 1898." (No. 2532, Int. No. 1588.)

Ordered, That said bill be engrossed for third reading.

Mr. Babcock, from the committee on printed and engrossed bills, reported as correctly printed or engrossed the following entitled bills:

"An act to amend the Legislative Law, relative to officers and employes of the Senate and Assembly and their compensation." (No. 2504, Int. No. 1556.)

"An act to amend section 18 of chapter 21 of the Laws of 1886, entitled 'An act providing for commutation of sentences for good behavior of convicts in the prisons and penitentiaries in this State,' relative to insane criminals." (No. 2481, Int. No. 1615.)

"An act to amend the Public Health Law as amended by chapter 111 of the Laws of 1896, in regard to the right of the regents to admit to examination in certain medical studies." (No. 2482, Int. No. 1626.)

"An act to amend the Greater New York Charter, in relation to selling apart certain piers in the borough of Queens for recreative purposes." (No. 2477, Int. No. 1487.)

"An act to amend the Statutory Construction Law, defining common lands." (No. 2476, Int. No. 1422.)

"An act to amend the Highway Law, in relation to the use of highways." (No. 2478, Int. No. 1537.)

"An act to amend the charter of the city of New Rochelle, in relation to playgrounds for children." (No. 2479, Int. No. 1572.)

"An act to amend chapter 52 of the Laws of 1893, entitled 'An act to make the office of county clerk of Columbia county a salaried office and regulating the management of said office,' in relation to assistants." (No. 2506, Int. No. 1568.)

"An act to amend chapter 337 of the Laws of 1893, entitled 'An act conferring additional powers upon trust companies within the counties of this State containing upwards of three hundred thousand and less than six hundred thousand inhabitants,' relative to guaranteeing certain bonds." (No. 2505, Int. No. 1559.)

"An act to appropriate annually the sum of \$5,000 to be made by the Board of Estimate and Apportionment of the city of New York in its discretion for the benefit of the benevolent funds of the former volunteer fire departments of the former towns, Flatbush, New Utrecht, Gravesend and Flatlands." (No. 2503, Int. No. 1545.)

"An act to amend chapter 18 of the Laws of 1862, entitled 'An act to revise the charter of the city of Utica' and the acts amendatory thereof and supplementary thereto, relative to the tax budget, etc." (No. 2483, Rec. No. 173.)

"An act to amend chapter 339 of the Laws of 1884, relative to navigation on Chautauqua lake." (No. 2480, Int. No. 1613.)

Mr. Allds, from the committee of conference, presented the following report:

To the Legislature:

The undersigned, appointed by the Senate and Assembly as a committee of conference relative to the matters of difference arising between the two Houses upon the Assembly bill (No. 1041; Senate reprint No. 1340, Rec. No. 162), entitled "An act making appropriations for the support of the government report

that they have duly conferred upon said matters, and agreed to recommend as follows:

The Senate recedes from all amendments offered to Assembly bill No. 1041, and in lieu thereof the conference committee reports the following substitute bill, to be reprinted and placed on the order of third reading:

AN ACT making appropriations for the support of government.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. The several amounts named in this act are hereby appropriated and authorized to be paid from the several funds indicated, to the respective public officers, and for the several purposes specified, for the fiscal year beginning on the first day of October, in the year nineteen hundred and one, namely:

FROM THE GENERAL FUND.

EXECUTIVE DEPARTMENT.

For the governor, for salary, ten thousand dollars.

For lieutenant-governor, for salary, five thousand dollars.

For the secretary to the governor, for salary, four thousand dollars.

For the military secretary, two thousand dollars.

For clerks, stenographers and messengers in the executive department, for salaries, nine thousand nine hundred dollars, or so much thereof as may be necessary.

For blanks and other books necessary for the use of the executive department, binding, printing, stationery, telegraphing, and other incidental expenses thereof, five thousand dollars, or so much thereof as may be necessary. For postage and expense of transportation of all letters, official documents, or other matter sent by express or freight, including boxes or covering for same, fourteen hundred and fifty dollars, or so much thereof as may be necessary.

For repairs, furniture and incidental expenses of the executive mansion and rent of stable, three thousand dollars, to be paid by the comptroller on the certificate of the governor.

For the payment of notarial clerks, and expenses of notarial department, seven thousand five hundred dollars, or so much thereof as may be necessary, to be paid by the treasurer on the order of the comptroller from the money received for fees of notaries.

JUDICIARY.

COURT OF APPEALS.

For the judges of the court of appeals, for salaries, seventy thousand five hundred dollars; for necessary expenses, twenty-five thousand nine hundred dollars.

For the justices of the supreme court serving as associate judges of the court of appeals, for salary thirty thousand dollars; and for other necessary expenses, eleven thousand one hundred dollars.

For the state reporter, for salary, five thousand dollars; for clerk hire and additional assistance, seven thousand dollars, and for office expenses, one thousand dollars.

For clerk of the court of appeals, for salary, five thousand dollars.

For the deputy clerk of the court of appeals, for salary, three thousand dollars.

For clerks in the office of the clerk of the court of appeals, for salaries, six thousand five hundred dollars.

For the messenger to the clerk of the court of appeals, for salary, twelve hundred dollars.

For compensation of clerks of judges of court of appeals, and for expenses incurred pursuant to chapter two hundred and twenty-one of the laws of eighteen hundred and ninety-seven, the sum of eight thousand four hundred dollars, or so much thereof as may be necessary.

For compensation of clerks of justices of the supreme court serving as associate judges of the court of appeals, three thousand six hundred dollars, or so much thereof as may be necessary.

For furniture, books, binding, blanks, printing, calendars, and other necessary expenses of the office of the clerk of the court of appeals, two thousand five hundred dollars, or so much thereof as may be necessary.

For compensation of the crier, messenger and attendants of the court of appeals, thirteen thousand seven hundred dollars, or so much thereof as may be necessary; the salary of the consultation clerk of the court of appeals is hereby fixed at three thousand dollars per annum, and the salary of the messenger of said court at one thousand dollars per annum.

For the clerk of the court of appeals, for postage, and expense of transportation of all letters or official documents, or other matter sent by express or freight, including boxes or covering for same, eight hundred and fifty dollars, or so much thereof as may be necessary.

LIBRARIES.

For the twelve judicial district libraries named in chapter four hundred of the laws of eighteen hundred eighty, chapter four hundred forty-four of the laws of eighteen hundred eighty-eight, and chapter two hundred thirty-one of the laws of eighteen hundred ninety-five, six hundred dollars each, or so much thereof as may be necessary.

For maintaining and improving the state library used by the judges of the court of appeals, twenty-five hundred dollars, or so much thereof as may be necessary.

For the payment of the services of the librarian of the court of appeals library at Syracuse, six hundred dollars, to be paid upon vouchers approved by the presiding justice of the appellate division of the fourth judicial department; and for the payment of the librarian of the law library of the appellate division of the supreme court, fourth judicial department, two thousand dollars, which latter amount is to be refunded pursuant to the provisions of chapter two hundred and fifty-eight of the laws of nineteen hundred.

SUPREME COURT.

For the justices of the supreme court, for salaries and expenses, four hundred and fifty-one thousand two hundred dollars.

For compensation of justices of the supreme court designated to the appellate division of the second department from any district other than the second judicial district, to be refunded to the treasury, pursuant to chapter three hundred and nine, of the laws of eighteen hundred and ninety-eight, six thousand dollars.

For the compensation of deputy clerk and attendants of the appellate division of the supreme court in the second judicial department, twelve thousand five hundred dollars, to be refunded to the treasurer as provided by chapter ninety-nine of the laws of eighteen hundred and ninety-six, and acts amendatory thereto.

For the necessary expenses of the several justices assigned to the appellate divisions of the supreme court, chapter three hundred and ninety, laws of eighteen hundred and ninety-six, six thousand dollars.

For the justices of the supreme court in the second judicial district, not residing in the county of Kings, for additional compensation, pursuant to chapter seven hundred and sixty-five of the laws of eighteen hundred and sixty-eight, as amended by chapter one hundred and twenty-six of the laws of eighteen hundred and eighty-three, and pursuant to chapter one hundred and

thirty-one, of the laws of eighteen hundred and ninety-eight, twenty-four thousand dollars; and for the stenographers appointed under said first-named act, as amended by chapter one hundred and fourteen of the laws of eighteen hundred and ninety-four, for compensation, eight thousand five hundred dollars; said amounts to be paid only from moneys which shall have been or shall be paid into the treasury for taxes levied for the purposes of said acts and in pursuance thereof.

For the stenographers of the supreme court, in the third, fourth, fifth, sixth, seventh and eighth judicial districts, for compensation, pursuant to sections two hundred and fifty-eight and two hundred and fifty-nine of the code of civil procedure, fifty-seven thousand five hundred dollars, to be refunded to the treasury as required by chapter four hundred and twenty-six of the laws of eighteen hundred and ninety.

For additional stenographers in the third and fourth judicial districts, for necessary compensation, expenses and stationery, the sum of ten thousand dollars, to be refunded to the treasury as provided for by chapter two hundred and fifty-eight of the laws of eighteen hundred and ninety-three.

For compensation of confidential clerks to the justices of the supreme court, other than justices of the appellate division, residing in the second judicial district, not including the county of Kings, nine thousand dollars, or so much thereof as may be necessary, to be refunded to the treasury pursuant to chapter eight hundred and ninety-two of the laws of eighteen hundred and ninety-six.

For compensation of confidential clerks to resident trial justices of the supreme court in the fifth judicial district, six thousand dollars, or so much thereof as may be necessary, to be refunded to the treasury pursuant to chapter eight hundred and ninety-three of the laws of eighteen hundred and ninety-six, and chapter one hundred and forty-five of the laws of eighteen hundred and ninety-seven.

For compensation of confidential clerks to resident trial justices of the supreme court in the sixth and seventh judicial districts, to be refunded to the treasury, pursuant to chapter three hundred and twenty-six, of the laws of eighteen hundred and ninety-eight, nine thousand six hundred dollars, or so much thereof as may be necessary.

For compensation of confidential clerks to resident trial justices of the supreme court in the eighth judicial district, to be refunded to the treasury, pursuant to chapter one hundred and six of the laws of eighteen hundred and ninety-nine, eighty-four hundred dollars, or so much thereof as may be necessary.

For compensation of confidential clerks to the justices of the

supreme court designated to the appellate division of the second department, eight thousand dollars, or so much thereof as may be necessary, to be refunded to the treasurer pursuant to chapter one hundred and fifty-one of the laws of nineteen hundred.

For expenses of the appellate divisions of the supreme court, for compensation of clerks, criers, attendants, and of stenographers and clerks to the judges, and for their necessary expenses, forty thousand dollars, or so much thereof as may be necessary.

MISCELLANEOUS REPORTER.

For salary of miscellaneous reporter, per chapter five hundred and ninety-eight, laws of eighteen hundred and ninety-two, four thousand five hundred dollars.

For assistants, clerk hire, obtaining copies of opinions and office expenses, two thousand five hundred dollars, or so much thereof as may be necessary.

COURT OF CLAIMS.

For judges of the court of claims, for salaries, fifteen thousand dollars; and for their necessary expenses while in the discharge of their official duties, including all expenses while attending sessions of the court, eight hundred dollars each, payable monthly.

For the clerk of the court of claims, for salary, four thousand dollars.

For the deputy clerk of the court of claims, for salary, two thousand five hundred dollars.

For the stenographer to the court of claims, for salary, two thousand five hundred dollars.

For the marshal of the court of claims, for salary, including his services as messenger, twelve hundred dollars.

For contingent fund, for the use of the court of claims, four thousand dollars, or so much thereof as may be necessary, out of which may be paid extra clerical services not to exceed one thousand dollars.

LEGISLATURE.

For the compensation and mileage of members and officers of the legislature, four hundred and eighty-three thousand dollars, or so much thereof as may be necessary.

For advances by the comptroller to the clerks of the senate and assembly, for contingent expenses, including stationery, printing and other legislative supplies, twenty-five thousand dollars, or so much thereof as may be necessary.

For postage, expenses of committees, compensation of witnesses, legislative manual, clerk's manual, indexing the bills,

journals and documents of the senate and assembly, and other contingent expenses of the legislature, thirty thousand dollars, or so much thereof as may be necessary.

OFFICE OF THE SECRETARY OF STATE.

For the secretary of state, for salary, five thousand dollars.

For the deputy secretary of state, for salary, four thousand dollars.

For chief clerk, two thousand six hundred dollars; confidential clerk, two thousand two hundred dollars; corporation examiner two thousand four hundred dollars; land clerk, two thousand two hundred dollars; cashier, one thousand five hundred dollars; certificate clerk, one thousand five hundred dollars; clerk and statistician, two thousand dollars; stenographer, one thousand two hundred dollars; one clerk, one thousand five hundred dollars; two clerks at one thousand three hundred dollars each; one stenographer twelve hundred dollars; six clerks and typewriters at nine hundred dollars each; one junior clerk at six hundred dollars; and one messenger at one thousand dollars.

For furniture, books, binding, blanks, printing and other office expenses of the secretary of state, three thousand dollars, or so much thereof as may be necessary.

For postage and expense of transportation of all letters, official documents, or other matter sent by express or freight, including boxes or covering for same, four thousand dollars, or so much thereof as may be necessary.

OFFICE OF THE COMPTROLLER.

For the comptroller, for salary, six thousand dollars.

For the deputy comptroller, for salary, four thousand five hundred dollars.

For the second deputy comptroller, for salary, four thousand dollars.

For the several clerks in the office of the comptroller for salaries as follows:

For confidential clerk, two thousand seven hundred dollars.

FINANCE BUREAU.

Chief accountant, two thousand three hundred dollars; assistant warrant clerk, two thousand four hundred dollars; entry clerk, one thousand six hundred dollars; voucher clerk, two thousand dollars; bookkeeper, one thousand four hundred and fifty dollars; special accountant, one thousand five hundred dollars; clerk, eleven hundred dollars; document clerk,

one thousand six hundred dollars; clerk, one thousand five hundred dollars; stenographer, one thousand dollars.

LAND BUREAU.

Chief tax clerk, two thousand six hundred dollars; tax clerk, two thousand dollars; tax clerk, one thousand eight hundred dollars; tax clerk, one thousand six hundred dollars; seven tax clerks at one thousand five hundred dollars each; bookkeeper, one thousand eight hundred dollars, draughtsman, one thousand three hundred dollars, one stenographer one thousand dollars.

TRANSFER TAX BUREAU.

Chief clerk, two thousand four hundred dollars; two assistant clerks one thousand five hundred dollars each; two recording clerks, one thousand two hundred dollars each; two transfer tax experts, one thousand four hundred dollars each; one stenographer, one thousand four hundred dollars; one stenographer nine hundred dollars; for printing, telegraphing and other expenses of the bureau, three thousand dollars, or so much thereof as may be necessary.

CORPORATION TAX BUREAU.

Chief corporation tax clerk, three thousand two hundred dollars; one assistant corporation tax clerk, one thousand eight hundred dollars; three assistant corporation tax clerks, one thousand five hundred dollars each; three assistant corporation tax clerks, twelve hundred dollars each; commissioner of New York office, three thousand dollars; clerk and stenographer New York office, one thousand five hundred dollars; commissioner Buffalo office, two thousand four hundred dollars; stenographer Buffalo office, nine hundred dollars; five special corporation tax commissioners, one thousand two hundred dollars each; one stenographer, fourteen hundred dollars.

For rent of offices in New York and Buffalo, printing, telegraphing and other expenses, three thousand dollars, or so much thereof as may be necessary.

BUREAU OF CHARITABLE INSTITUTIONS.

Chief of bureau, two thousand dollars; estimate clerk, one thousand eight hundred dollars; assistant estimate clerk, one thousand eight hundred dollars; voucher clerk, one thousand five hundred dollars; bookkeeper, one thousand five hundred dollars; expert accountant, one thousand six hundred and fifty

dollars; index clerk, one thousand fifty dollars; messenger, one thousand dollars; building inspector, eighteen hundred dollars, or so much thereof as may be necessary; confidential inspector, one thousand two hundred dollars, or so much thereof as may be necessary.

For printing, binding, traveling and other expenses of bureau, two thousand five hundred dollars, or so much thereof as may be necessary.

MISCELLANEOUS.

For the comptroller, one thousand dollars; for the deputy comptroller, one thousand dollars; for the second deputy comptroller, seven hundred and fifty dollars, for the expenses and disbursements of each respectively, which several sums shall be allowed to each in lieu of and in full for expenses, payable quarterly.

One messenger, eight hundred dollars; one messenger, seven hundred and twenty dollars; one page, three hundred and sixty dollars; other clerical and messenger service, five hundred dollars; one night watchman, three hundred sixty-five dollars.

For furniture, books, binding, blanks, printing and other expenses of the office of the comptroller, five thousand dollars, or so much thereof as may be necessary.

For examination of the accounts of the several county treasurers of the state, as required by chapter six hundred fifty-one of the laws of eighteen hundred and ninety-two, for services of examiners, five thousand dollars; for traveling expenses of examiners, twenty-five hundred dollars, and for printing and other expenses, five hundred dollars, or so much thereof as may be necessary.

For postage and expense of transportation of all letters, official documents, or other matter sent by express or freight, including boxes or covering for same, two thousand two hundred dollars, or so much thereof as may be necessary.

For the comptroller, to pay the expenses of serving notice on occupants or despoilers of land now owned by the state, or bid in therefor at the comptroller's tax sale; or protecting the state's title to such lands by discharging them from the taxes due thereon, or bidding them in at, or redeeming them from county treasurers' tax sale; of preparing and recording deeds and certificates protecting the state's title to such lands; of definitely locating, appraising and examining them, as may be required; of protecting them from trespassers or despoilers, and prosecuting all such offenders, and generally of guarding, preserving the value of, and protecting such land, two thousand five hundred dollars, or so much thereof as may be necessary.

BUREAU OF CANAL AFFAIRS.

Payable from canal fund: For the chief clerk, for salary, two thousand eight hundred dollars; one clerk, one thousand seven hundred dollars; one clerk, one thousand five hundred dollars; one stenographer nine hundred dollars. For the payment of incidental and miscellaneous expenses of the bureau of canal affairs, chargeable to the Erie and Champlain canal fund, and the canal debt sinking fund, four thousand nine hundred, ninety-five dollars, to be expended as follows: For messenger service four hundred eighty dollars, or so much thereof as may be necessary; for night watchman, three hundred sixty-five dollars; for the Bank of Manhattan Company New York, for keeping transfer office, and for stationery for same, one thousand four hundred dollars; for salary of transfer agent, seven hundred fifty dollars; for printing, advertising, and other necessary expenses of the bureau, two thousand dollars, or so much thereof as may be necessary.

STATIONERY.

For stationery for the governor, secretary of state, comptroller, treasurer, attorney-general, state engineer and surveyor, superintendent of public instruction, regents of the university, adjutant-general, clerk of the court of appeals, state board of charities, state department of health, civil service commission, superintendent of public buildings and department of labor, eleven thousand dollars, or so much thereof as may be necessary.

OFFICE OF THE TREASURER.

For the treasurer, for salary, five thousand dollars.

For deputy treasurer, for salary, four thousand dollars.

For accountant and transfer clerk, two thousand four hundred dollars; chief clerk, one thousand five hundred dollars; cashier, two thousand three hundred dollars; assistant cashier, one thousand five hundred dollars; check clerk, two thousand two hundred dollars; confidential clerk, one thousand two hundred dollars; corporation clerk, one thousand two hundred dollars; warrant clerk, one thousand two hundred dollars; messenger, one thousand dollars; stenographer, seven hundred dollars.

For postage and expense of transportation of all letters, official documents, or other matter sent by express or freight, including boxes or covering for same, four hundred fifty dollars, or so much thereof as may be necessary.

For furniture, books, binding, blanks, printing and other office expenses of the treasurer, eighteen hundred dollars, or so much thereof as may be necessary.

OFFICE OF THE ATTORNEY-GENERAL.

For the attorney-general, for salary, five thousand dollars.

For the first and second deputies in the office of the attorney-general, for salaries, eight thousand dollars.

For a deputy in charge of miscellaneous actions and proceedings, four thousand dollars.

For the deputy in charge of the enforcement of the provisions of the agricultural law, four thousand dollars.

For the managing deputy, three thousand dollars.

For the corporation deputy, three thousand dollars.

For the New York deputy, three thousand dollars.

For the assistant to the first deputy, three thousand dollars.

For the land clerk, two thousand dollars.

For clerk, two thousand dollars.

For the first confidential clerk, fifteen hundred dollars.

For private secretary, fifteen hundred dollars.

For the chief stenographer, eighteen hundred dollars.

For the confidential stenographer, fifteen hundred dollars.

For stenographer, twelve hundred dollars.

For confidential messenger, nine hundred dollars.

For the bureau to enforce the provisions of law enforceable by the board of state tax commissioners:

For a deputy, four thousand dollars.

For assistant deputy, three thousand dollars.

For a stenographer, one thousand two hundred dollars.

For expenses of deputies, one thousand two hundred dollars.

For the expenses of the bureau, two thousand dollars, or so much thereof as may be necessary.

For furniture, books, binding, blanks, printing and other office expenses of the attorney-general, two thousand dollars, or so much thereof as may be necessary.

For postage and expense of transportation of all letters, official documents, or other matter sent by express or freight, including boxes or covering for same, six hundred dollars, or so much thereof as may be necessary.

For counsel and expenses pursuant to section fifty-seven of the executive law, ten thousand dollars, or so much thereof as may be necessary.

For costs of suits, fees of sheriffs, and compensation of witnesses, two thousand dollars, or so much thereof as may be necessary.

For the expenses and disbursements of the attorney-general, which shall be allowed to him in lieu of and in full of expenses, two thousand five hundred dollars, payable quarterly.

For the expenses and disbursements of the first and second

deputies of the attorney-general, while in the discharge of their duties, eighteen hundred dollars each, payable quarterly.

The attorney-general is hereby authorized to employ as many deputies, clerks, stenographers and messengers as he may deem necessary, and to fix their salaries, except when fixed by law; but the aggregate salaries for such clerical force, stenographers and messengers, shall not exceed the sum hereinabove appropriated for such service.

OFFICE OF THE STATE ENGINEER AND SURVEYOR.

For the state engineer and surveyor, for salary, five thousand dollars.

For the deputy state engineer and surveyor, for salary, four thousand dollars.

For chief clerk, three thousand dollars; land clerk, two thousand dollars; canal clerk, one thousand five hundred and sixty dollars, or at the rate of five dollars per day; record clerk, acting as confidential clerk, eleven hundred dollars, two stenographers, one thousand dollars each, and one stenographer, seven hundred and twenty dollars.

For postage and expense of transportation of letters, official documents, or other matter sent by express or freight, including boxes or covering for same, twelve hundred dollars, or so much thereof as may be necessary.

For furniture, books, binding, blanks, printing and other office expenses of the state engineer and surveyor, two thousand one hundred dollars, or so much thereof as may be necessary.

PAYABLE FROM THE CANAL FUND.

For traveling expenses of the state engineer and surveyor, two thousand dollars; for the traveling expenses of the deputy state engineer and surveyor, one thousand dollars, payable quarterly to each in full for all such expenses.

For the salaries and compensation of the engineers employed upon the ordinary repairs of canals, including the incidental expenses of such engineers, thirty thousand dollars, or so much thereof as may be necessary.

DEPARTMENT OF PUBLIC INSTRUCTION.

For the superintendent of public instruction, for salary, five thousand dollars. Deputy superintendent, for salary, four thousand five hundred dollars. Second deputy superintendent, for salary, four thousand dollars. For furniture, books, binding,

blanks, printing and other office expenses, five thousand dollars, or so much thereof as may be necessary.

For traveling expenses which may be incurred in the visitation of common schools, normal schools, teachers institutes, Indian schools and other institutions under the supervision of this department; and for the proper representation of this state at meetings of educational associations, one thousand five hundred dollars or so much thereof as may be necessary. For postage, and expense of transportation of all letters, official documents, or other matter sent by express or freight, including boxes or covering for same, six thousand dollars, or so much thereof as may be necessary.

For printing circulars and programs relative to the observance of Arbor day for distribution among the school districts of the state, and for the expenses relating to the observance of that day, pursuant to the provisions of chapter five hundred and fifty-six of the laws of eighteen hundred ninety-four, one thousand dollars, or so much thereof as may be necessary.

For clerks and other employes, for salaries, fifteen thousand three hundred dollars, of which amount there shall be paid to the confidential clerk, fifteen hundred dollars; to the chief of the finance bureau, twenty-four hundred dollars; to chief of statistical bureau, twenty-one hundred dollars; to index clerk, twelve hundred dollars; one clerk, fifteen hundred dollars; to mailing clerk, fifteen hundred dollars; stenographer to the superintendent, twelve hundred dollars; stenographer to the first deputy, twelve hundred dollars; for messengers, porters and page, twenty-seven hundred dollars, and for temporary employes two thousand dollars or so much thereof as may be necessary.

LAW DEPARTMENT.

For counsel to the department, for salary, three thousand five hundred dollars.

For stenographer, one thousand four hundred dollars.

COMPULSORY EDUCATION.

For the purpose of carrying out the provisions of chapter six hundred seventy-one of the laws of eighteen hundred ninety-four as amended by chapter nine hundred eighty-eight of the laws of eighteen hundred ninety-five, relating to compulsory education, fifteen thousand five hundred dollars; of which amount there shall be paid for salary to the chief inspector of the bureau of compulsory education, three thousand dollars; to three inspectors, each the sum of two thousand five hundred dollars;

and for traveling expenses, printing and supplies, five thousand dollars, or so much thereof as may be necessary.

PAYABLE FROM THE FREE SCHOOL FUND.

For the support of the common schools of the state, three million, five hundred thousand dollars, to which shall be added the sum of one hundred seventy thousand dollars, which is hereby appropriated, payable from **THE REVENUE FROM THE COMMON SCHOOL FUND** in accordance with the provisions of the revised statutes and chapter five hundred fifty-six of the laws of eighteen hundred ninety-four, and the further sum of seventy-five thousand dollars, which is hereby appropriated, payable from the revenue from **THE UNITED STATES DEPOSIT FUND** in accordance with the provisions of chapter five hundred fifty-six of the laws of eighteen hundred ninety-four and chapter five hundred seventy-three of the laws of eighteen hundred ninety-two, as amended by chapter five hundred forty-six of the laws of eighteen hundred ninety-five; and from which sum of seventy-five thousand dollars there shall be paid to the chief of the bureau of school libraries for salary, twenty-four hundred dollars; for one stenographer, twelve hundred dollars; and one clerk, nine hundred dollars.

For the support and maintenance of the state normal and training schools, the sum of three hundred and twenty thousand dollars, or so much thereof as may be necessary, payable upon bills to be audited by him, from which amount there shall be paid to the president of the Albany normal college at Albany, for salary, four thousand dollars; and to the principals of the state normal schools at Buffalo, Brockport, New Paltz and Potsdam, each three thousand dollars; and to the principals at Cortland, Fredonia, Geneseo, Jamaica, Oneonta, Oswego and Plattsburg, where residences are not furnished by the state, three thousand three hundred dollars each; and to the inspector of normal schools, Indian schools, and institutions for the instruction of the deaf, dumb and blind, twenty-five hundred dollars.

For the maintenance of teachers institutes, pursuant to chapter five hundred fifty-six of the laws of eighteen hundred ninety-four and for the maintenance of summer institutes in accordance with the provisions of chapter one hundred fifty-six of the laws of eighteen hundred and ninety-six, and for the preparation of question papers fifty thousand dollars, or so much thereof as may be necessary; from which amount there shall be paid to the supervisor of the bureau of institutes for salary, four thousand dollars; to five institute conductors, for salaries, each

three thousand dollars; to one special instructor in drawing, twenty-two hundred dollars; to one special instructor in primary work, reading and literature, two thousand dollars; one lecturer two thousand five hundred dollars; and to one special instructor in English twelve hundred dollars.

For the state superintendent of public instruction for the commissioners of common schools, for salaries, one hundred and thirteen thousand dollars; payable, one thousand dollars to each commissioner in the state.

For printing and binding fifteen thousand school registers pursuant to chapter five hundred fifty-six of the laws of eighteen hundred ninety-four, and for printing and binding twenty-five thousand copies of trustees reports, and for packing and boxing the same, five thousand two hundred dollars, or so much thereof as may be necessary.

TRAINING OF TEACHERS.

For the supervisor of the bureau of teachers' training classes, for salary, thirty-five hundred dollars; for four inspectors, for salary, each twenty-five hundred dollars; for one stenographer, nine hundred dollars; and for one clerk, one thousand dollars. For payment to academies and union schools designated by the superintendent of public instruction for the professional training of teachers, pursuant to chapter five hundred fifty-six of the laws of eighteen hundred ninety-four, and for the professional training of teachers in the cities and villages of the state employing a local superintendent of schools in accordance with the provisions of chapter ten hundred thirty-one of the laws of eighteen hundred ninety-five, and for printing, supplies, traveling expenses and other disbursements connected with the maintenance, supervision and examination of such classes and schools, eighty-four thousand six hundred dollars, twenty-five thousand dollars of which amount shall be paid by the superintendent of public instruction to the cities and villages maintaining teachers' training schools in accordance with the rules established by him. Not more than one hundred thirteen training classes shall be established by the state superintendent in any one year under the provisions of chapter five hundred fifty-six of the laws of eighteen hundred ninety-four. Five hundred dollars shall be paid to each school maintaining a class of not less than ten pupils in accordance with rules and regulations established by the state superintendent, and such balance as shall remain after the payment of the necessary expenses for printing, supplies, traveling expenses and disbursements connected with the maintenance of such schools and training classes shall be apportioned

among such training classes ratably on the basis of the number of teachers instructed therein in excess of said number.

VISUAL INSTRUCTION.

For the state superintendent of public instruction for the American museum of natural history in the city of New York, for continuing the instruction of natural history, geography and kindred subjects in the several state normal schools, the normal college of the city of New York, the training schools for teachers in the city of New York, the teachers institutes in the counties of the state, and to the teachers in the common schools of the city of New York and vicinity as per contract entered into between the state superintendent of public instruction and the American museum of natural history of the city of New York as authorized by chapter ninety-seven of the laws of eighteen hundred ninety-seven, and for complying with the provisions of chapter four hundred eighty-nine of the laws of eighteen hundred ninety-nine extending such instruction to the cities and villages of the state that have or may have a local superintendent of schools, the sum of thirty-eight thousand dollars, or so much thereof as may be necessary. All persons of the age of ten years or upwards shall be admitted at public lectures illustrated by colored maps or pictures thrown upon a screen or other background under proper regulations.

EXAMINATION DEPARTMENT.

For the state superintendent of public instruction for defraying the expenses connected with the uniform system of examinations for teachers certificates, state certificates, and state scholarships in Cornell university, and for preparing and printing blanks, circulars, question papers and certificates necessary for such examinations, and for college graduate certificates issued by him in pursuance of chapter five hundred fifty-six of the laws of eighteen hundred ninety-four, and for defraying the expenses of examinations in connection with the uniform graded course of study, twenty-two thousand three hundred dollars, or so much thereof as may be necessary, from which amount there shall be paid to the supervisor of the bureau of examinations, for salary, three thousand dollars; two examiners, each twenty-one hundred dollars; two examiners eighteen hundred dollars each; two at nine hundred dollars each; one stenographer, one thousand dollars; five record clerks, for salary, each nine hundred dollars; and one junior clerk, six hundred dollars.

PAYABLE FROM THE COMMON SCHOOL FUND.

Revenue.

For support of Indian schools, chapter five hundred fifty-six of the laws of eighteen hundred ninety-four, seven thousand dollars, or so much thereof as may be necessary.

UNIVERSITY OF THE STATE OF NEW YORK.

ADMINISTRATIVE DEPARTMENT.

For salary of secretary and director of college and high school departments, five thousand dollars; head clerk, two thousand four hundred dollars; bookkeeper, twelve hundred dollars; head stenographer, twelve hundred dollars; report clerk, nine hundred dollars; charter clerk, nine hundred dollars; printing clerk, nine hundred dollars; indexer, nine hundred dollars; four clerks at six hundred dollars each; two clerks at five hundred forty and four hundred twenty dollars respectively; two clerks at three hundred sixty dollars each; and for fittings, supplies, printing, travel and other expenses of the administrative department, pursuant to chapter three hundred seventy-eight of the laws of eighteen hundred ninety-two, three thousand five hundred twenty dollars; also of fees received in this account, involving no expense to the state, under section forty-nine of chapter three hundred seventy-eight of the laws of eighteen hundred and ninety-two, one thousand dollars, or so much thereof as may be necessary. For postage and expense of transportation of letters, official documents, or other matter sent by express or freight, including boxes or covering for same, twelve thousand, seven hundred and thirty dollars, or so much thereof as may be necessary.

BUILDING.

For salary of janitor, nine hundred dollars; watchman, eight hundred forty dollars; two messengers at six hundred dollars and five hundred forty dollars respectively; clerk, four hundred eighty dollars; and for services of elevator men, porters, laborers and cleaners, for the care and cleaning of the regents office, college and high school departments, state library and other rooms occupied by the university of the state of New York in the basement, on the first, third, fourth, fifth, sixth and seventh floors of the capitol, eight thousand five hundred dollars; for power and for running two elevators and for necessary repairs, fittings and supplies, to be paid on vouchers duly authenticated by the regents as for their other expenses, five thousand five

hundred forty dollars; for new shelving and for new card catalogue case, two thousand dollars.

ACADEMIC FUND.

For dividends to be apportioned by the regents for the benefit of schools of academic grade of the university, pursuant to chapter three hundred forty-one of the laws of eighteen hundred and ninety-five, two hundred seven thousand seven hundred thirty dollars; and pursuant to chapter three hundred seventy-eight of the laws of eighteen hundred and ninety-two, the further sum of sixty thousand dollars, to which shall be added the further sum of twelve thousand dollars, which is hereby appropriated, payable from the income of the literature fund, and the further sum of thirty-four thousand dollars, which is hereby appropriated, payable from the income of the United States deposit fund, and from said aggregate sum of three hundred thirteen thousand seven hundred thirty dollars there shall be paid for the salary of the head inspector three thousand seven hundred eighty dollars; for salaries of nine inspectors, two thousand eight hundred eighty dollars, two thousand seven hundred sixty dollars, two thousand seven hundred dollars, two thousand four hundred dollars, two thousand four hundred dollars, two thousand four hundred dollars, two thousand four hundred dollars, one thousand eight hundred sixty dollars, respectively and one at eight hundred seventy-five dollars for seven months' work; for apparatus clerk, one thousand two hundred dollars; and for grants by the regents for the benefit of schools of the university of academic grade, pursuant to statute, two hundred eighty-eight thousand seventy-five dollars; also of fees received in this account, involving no expense to the state, under section forty-nine of chapter three hundred seventy-eight of the laws of eighteen hundred and ninety-two, two thousand dollars, or so much thereof, as may be necessary.

COLLEGE AND HIGH SCHOOL DEPARTMENTS.

For salary of three assistants, two thousand two hundred eighty, one thousand eight hundred and one thousand five hundred dollars respectively; for record clerk, one thousand two hundred dollars; for credential clerk, one thousand two hundred dollars; for two examiners, one thousand two hundred dollars each; for one compositor, one thousand twenty dollars; for two examiners, nine hundred dollars each; for one clerk nine hundred dollars; for one examiner and one clerk, seven hundred eighty dollars each; for two examiners, seven hundred twenty dollars each; for three clerks, seven hundred twenty dollars each; for two

stenographers, seven hundred twenty and six hundred sixty dollars respectively; for one examiner six hundred dollars; for eight clerks, six hundred dollars each; for one page six hundred dollars; for two clerks, five hundred forty dollars each; for three clerks, four hundred eighty dollars each; for five clerks, four hundred twenty dollars each; and for examiners and clerks for temporary services, and for fittings, supplies, printing and other expenses of conducting examinations in accordance with chapter four hundred twenty-five of the laws of eighteen hundred and eighty-seven, and for conducting preliminary examinations for law students as prescribed by rules of the court of appeals in pursuance of section one hundred ninety-three of the code of civil procedure, and for medical students as prescribed by section one hundred forty-five, and for dental students as prescribed by section one hundred sixty-two, and for veterinary medical students as prescribed by section one hundred seventy-eight of chapter six hundred sixty-one of the laws of eighteen hundred and ninety-three, and for the preliminary examination of candidates for certificates as certified public accountants, as prescribed by section two of chapter three hundred twelve of the laws of eighteen hundred ninety-six, eighteen thousand twenty dollars, (of which sum not more than twelve thousand dollars shall be used for examiners and clerks for temporary services) of which amounts twenty-six thousand five hundred dollars shall be payable from the revenue of the United States deposit fund, which is hereby appropriated; also fees of seven thousand dollars, or so much thereof as may be received in this account, involving no expense to the state, under section forty-nine of chapter three hundred seventy-eight of the laws of eighteen hundred and ninety-two; also payable from fees received, involving no expense to the state, under section forty-nine of chapter three hundred seventy-eight of the laws of eighteen hundred and ninety-two and section one hundred forty-three of chapter six hundred sixty-one of the laws of eighteen hundred and ninety-three, secretary of the state board of medical examiners, one thousand two hundred dollars; medical record clerk, one thousand twenty dollars; six clerks, six hundred dollars each; also for the apportionment to the medical examiners as therein provided, twelve thousand dollars, or so much as shall be available therefor after deduction of necessary expenses and the salaries herein specified; also payable from fees received, involving no expenses to the state, under section forty-nine of chapter three hundred seventy-eight of the laws of eighteen hundred and ninety-two and section one hundred sixty-two of chapter six hundred twenty-six of the laws of eighteen hundred and ninety-five, as amended by chapter two hundred ninety-seven of the laws of eighteen hundred and ninety-six;

examiner, nine hundred dollars; clerk, four hundred eighty dollars; also for the expenses of the state dental examiners and the payment of the surplus to the state dental society as therein provided, four thousand dollars, or so much as shall be available therefor, after deduction of necessary expenses and the salaries herein specified; also payable from fees received, involving no expense to the state, under section forty-nine of chapter three hundred seventy-eight of the laws of eighteen hundred and ninety-two, and section one hundred seventy-four of chapter eight hundred sixty of the laws of eighteen hundred and ninety-five, five hundred dollars, or so much thereof as may be available for proper expenses incurred in the administration of the veterinary law and the apportionment of the surplus among the veterinary medical examiners as therein provided; also payable from fees received, involving no expense to the state, under section forty-nine of chapter three hundred seventy-eight of the laws of eighteen hundred and ninety-two and section two of chapter three hundred twelve of the laws of eighteen hundred and ninety-six, five hundred dollars, or so much thereof as may be available for proper expenses of the examinations for certified public accountants.

HOME EDUCATION DEPARTMENT.

For salary of director of state library and home education departments and of state library school, five thousand dollars; for inspector, two thousand four hundred dollars; for vice-director of library school and librarian for the blind, one thousand eight hundred dollars; for director's assistant, one thousand eight hundred dollars; annotator, one thousand two hundred dollars; sub-inspector, nine hundred dollars; one assistant, one thousand two hundred dollars; one assistant, nine hundred sixty dollars; two assistants, nine hundred dollars each; one assistant, eight hundred forty dollars; stenographer, seven hundred eighty dollars; three assistants, seven hundred twenty dollars each; one clerk, six hundred dollars; one clerk, five hundred forty dollars; six clerks, four hundred eighty dollars each; one clerk, four hundred twenty dollars; four clerks, three hundred sixty dollars each; and for temporary services, and for traveling books and pictures, and for grants of public library money by the regents for the benefit of free libraries, and for necessary expenses in accordance with sections fourteen, forty-seven, forty-eight and fifty of chapter three hundred seventy-eight of the laws of eighteen hundred and ninety-two, thirty-four thousand two hundred dollars (of which sum not more than two thousand one hundred and fifty dollars shall be used for temporary

services), of which sum twenty-five thousand dollars shall be payable from the revenue of the United States deposit fund, which is hereby appropriated; also fees of three thousand dollars or so much thereof as may be received in this account, involving no expense to the state, under section forty-nine of chapter three hundred seventy-eight of the laws of eighteen hundred and ninety-two; also payable from fees for tuition in library school, involving no expense to the state, under section forty-nine of chapter three hundred seventy-eight of the laws of eighteen hundred and ninety-two, three clerks at four hundred eighty dollars each, and also for necessary expenses of maintenance, exclusive of salaries, one thousand five hundred dollars or so much thereof as may be received in this account.

STATE LIBRARY.

For salary of senior librarian, two thousand four hundred dollars; law librarian, two thousand one hundred dollars; education librarian, two thousand one hundred dollars; reference librarian, two thousand dollars; director's assistant, one thousand eight hundred dollars; sociology librarian, one thousand eight hundred dollars; archivist (manuscript division), one thousand five hundred dollars; sub-librarian (reference), one thousand two hundred sixty dollars; head cataloguer, one thousand two hundred dollars; head classifier, one thousand two hundred dollars; sub-librarian (accession), one thousand two hundred dollars; one assistant, one thousand two hundred dollars; two assistants, nine hundred dollars each, two assistants, eight hundred forty dollars each; three assistants and one shelf clerk, seven hundred twenty dollars each; one clerk, six hundred sixty dollars; four clerks, one messenger and one page, six hundred dollars each; one clerk, five hundred forty dollars; one sub-cataloguer and six clerks, four hundred eighty dollars each; seven clerks, three hundred sixty dollars each; and for temporary services and for keeping the library open evenings and holidays throughout the entire year (except in July and August), and for maintaining the duplicate department, and for fittings, supplies, printing, and for other expenses pursuant to chapter three hundred seventy-eight of the laws of eighteen hundred and ninety-two, three thousand two hundred dollars, of which sum not more than two thousand dollars shall be used for temporary services; also fees of one thousand dollars or so much thereof as may be received in this account, involving no expense to the state, under section forty-nine of chapter three hundred seventy-eight of the laws of eighteen hundred and ninety-two.

For books, serials and binding, pursuant to chapter three hundred and seventy-eight of the laws of eighteen hundred and ninety-two, eighteen thousand seven hundred dollars, of which sum not more than thirty-six hundred dollars shall be used in paying for services of binders and other persons necessarily employed in binding books.

For the state medical library, for books, serials and binding and other expenses of maintenance, exclusive of salaries, pursuant to chapter three hundred seventy-seven of the laws of eighteen hundred and ninety-one, two thousand dollars.

For books to be lent free to the blind of the state, one thousand dollars.

STATE MUSEUM.

For salary of director and state geologist, three thousand dollars; assistant in zoology, twelve hundred dollars; assistant in geology, one thousand twenty dollars; museum assistant, nine hundred dollars; stenographer, seven hundred eighty dollars; stenographer, six hundred dollars; clerk, three hundred sixty dollars; and for temporary services and expenses of the state geologist and his assistants in the preservation and increase of the collections of the state museum, four thousand five hundred fifty dollars, of which sum not more than eighteen hundred dollars shall be used for temporary services; also fees of six hundred dollars or so much thereof as may be received in this account, involving no expense to the state, under section forty-nine of chapter three hundred seventy-eight of the laws of eighteen hundred and ninety-two.

For the expenses of the Indian museum, one thousand dollars.

For the salary of the state paleontologist, three thousand dollars; paleontologist's assistant, one thousand five hundred dollars; draftsman, one thousand eight hundred dollars; lithographer, one thousand five hundred dollars; field assistant, nine hundred dollars; one clerk, one thousand twenty dollars; helper, seven hundred twenty dollars; and for temporary services and expenses of the state paleontologist and his assistants, in preserving and increasing the collections in paleontology, two thousand two hundred eighty dollars, of which sum not more than one thousand dollars shall be used for temporary services.

For salary of state botanist, two thousand four hundred dollars; for temporary services and expenses of the state botanist and his assistants, in preserving and increasing the collections in botany, five hundred dollars.

For salary of state entomologist, one thousand eight hundred dollars; for two assistants to state entomologist, seven hundred eighty and seven hundred twenty dollars respectively; and for

temporary services and expenses of the state entomologist and his assistants, in preserving and increasing the collections in entomology, one thousand six hundred and forty dollars, of which sum not more than eight hundred dollars shall be used for temporary services.

Each salary specified in this bill under any department of the University of the state of New York shall be the maximum; and the maximum compensation for temporary services authorized thereby shall be fixed by the civil service rules subject to the approval of the comptroller, but discretion is accorded to the regents to pay less amounts both for fixed salaries and for temporary services whenever the interests of the service will permit.

DEPARTMENT OF AGRICULTURE.

For the commissioner of agriculture, for salary four thousand dollars; for assistant commissioners, for salaries, seventeen thousand dollars.

For head bookkeeper, one thousand eight hundred dollars; assistant bookkeeper, one thousand two hundred dollars; bookkeeper, nine hundred dollars; four cheese instructors, twelve hundred dollars each; thirty-six special agents, nine hundred dollars each; five inspectors, nine hundred dollars each; seven inspectors, seven hundred and twenty dollars each; chief chemist, two thousand dollars; for chemist, and other scientific employes, ten thousand dollars, or so much thereof as may be necessary; one stenographer, nine hundred dollars; one stenographer, seven hundred and twenty dollars; one stenographer, six hundred dollars; index clerk, six hundred dollars; veterinarians, three thousand five hundred dollars, or so much thereof as may be necessary.

For traveling and other expenses of the assistant commissioners, and employes other than the assistant commissioner located at Albany, and for all necessary expenses of the department, fifty-two thousand dollars, or so much thereof as may be necessary.

For maintenance of farmers' institutes held under the auspices of the commissioner of agriculture, to be paid upon the order of said commissioner, and certified in sums as needed, and for which vouchers for expenditures duly audited and verified by him shall be rendered, twenty thousand dollars.

No more than ten assistant commissioners shall be employed by the commissioner of agriculture for said department. The assistant residing in the city of Albany shall receive as salary the sum of two thousand five hundred dollars, and the assistant commissioner residing in the city of New York shall receive an

annual salary of two thousand five hundred dollars, and such traveling expenses as may be necessary, when away from home on business of said department. . The other assistant commissioners shall receive such salaries not exceeding fifteen hundred dollars each, as shall be fixed by the commissioner of agriculture, and all necessary expenses incurred in the performance of their duties.

To the commissioner of agriculture the sum of fifteen hundred dollars in lieu of and in full for all traveling and other expenses of himself and of the assistant commissioner located at Albany, incurred by either of them in the discharge of their official duties, payable in equal monthly installments.

AGRICULTURAL SOCIETIES.

For the promotion of agriculture in this state, sixty-six thousand dollars; of said sixty-six thousand dollars there shall be distributed by the commissioner of agriculture to the American Institute of the city of New York, town, county, and other agricultural societies, fairs, clubs and expositions the amount they are entitled to by virtue of the provisions of section eighty-nine of the agricultural law; the said remainder shall be apportioned among the county agricultural societies, fairs or associations, the American Institute of the city of New York or the societies, fairs or associations entitled thereto in counties where there are no such county agricultural societies, and the various town and other agricultural societies, clubs or exhibitions, to be distributed in the manner provided by section eighty-eight of the agricultural law.

GENEVA EXPERIMENT STATION.

To the commissioner of agriculture, and to the New York state agricultural experiment station, for enforcing the provisions of law in relation to commercial fertilizers, pursuant to chapter four hundred and thirty-seven of the laws of eighteen hundred and ninety, and chapter nine hundred and fifty-five of the laws of eighteen hundred and ninety-six and chapter six hundred and eighty-seven of the laws of eighteen hundred and ninety-nine, and for the expenses of bulletins as therein provided, the sum of ten thousand dollars, or so much thereof as may be necessary, to be paid from money received by the state treasurer from license fees on fertilizers.

For the expense of enforcing the provisions of the law in relation to concentrated feeding stuffs, as shall be authorized by the board of control, pursuant to chapter five hundred and ten, laws

of eighteen hundred and ninety-nine, to be paid from money received by the state treasurer from license fees on concentrated feeding stuffs, two thousand five hundred dollars, or so much thereof as may be necessary.

For the necessary expenditures of the agricultural experiment station at Geneva; for salaries of the scientific staff and clerical force twenty-two thousand dollars; for labor, including engineer, janitors, laboratory helpers, gardeners, herdsman, teamsters, poultrymen, watchmen and other necessary labor, twelve thousand dollars, or so much thereof as may be necessary; for necessary expenses in conducting researches in plant nutrition, diseases of plants, injurious insects, bacteriology, horticulture, dairy practice and poultry keeping, sixteen thousand dollars, or so much thereof as may be necessary.

For horticultural instruction, and for the purpose of conducting horticultural investigations and experiments, and for disseminating the information so obtained, as provided for in and pursuant to section eighty-five of the agricultural law, the sum of eight thousand dollars, or so much thereof as may be necessary.

STATE ARCHITECT.

For the state architect for salary, seven thousand five hundred dollars. For private secretary, fifteen hundred dollars; for chief draughtsman, two thousand five hundred dollars; for an assistant chief draughtsman, sixteen hundred dollars; four draughtsmen, fifteen hundred dollars each, or so much thereof as may be necessary; two draughtsmen, fourteen hundred dollars each, or so much thereof as may be necessary; one draughtsman, one thousand two hundred dollars, or so much thereof as may be necessary; one draughtsman seven hundred fifty dollars, or so much thereof as may be necessary; one tracer, five hundred forty dollars; one tracer six hundred dollars, or so much thereof as may be necessary; for consulting experts and additional draughtsmen necessary during the busy season, two thousand dollars or so much thereof as may be necessary; one electrical engineer, two thousand five hundred dollars; three expert engineers two thousand dollars each; one sanitary engineer, two thousand dollars, or so much thereof as may be necessary; one heating engineer, two thousand dollars, or so much thereof as may be necessary; chief clerk, one thousand five hundred dollars, or so much thereof as may be necessary; one clerk and stenographer, one thousand two hundred dollars; two stenographers at nine hundred dollars each; one clerk, nine hundred dollars, or so much thereof as may be necessary; one mes-

senger, seven hundred eighty-two dollars, or so much thereof as may be necessary; one office boy, four hundred eighteen dollars, or so much thereof as may be necessary; one office boy, three hundred thirteen dollars, or so much thereof as may be necessary; for transportation and other expenses of supervision, four thousand five hundred dollars, or so much thereof as may be necessary; for office expenses, three thousand five hundred dollars, or so much thereof as may be necessary.

BANKING DEPARTMENT.

For the superintendent of banks, for salary, seven thousand dollars. And the superintendent of banks shall receive the sum of one thousand five hundred dollars annually, payable monthly, in lieu of and in full for all expenses and disbursements incurred by him.

For the deputy superintendent of banks, for salary, four thousand dollars.

For the private secretary to the superintendent of banks, for salary, three thousand dollars.

For one clerk and examiner, for salary, fifteen hundred dollars.

For one clerk or stenographer, for salary, twelve hundred dollars, or so much thereof as may be necessary.

For one stenographer in Albany office, for salary, twelve hundred dollars.

For one stenographer in the branch office in New York city, for salary, one thousand two hundred dollars.

For night watchman, for salary, two hundred and forty dollars.

For rent of branch office in the city of New York, twelve hundred dollars.

For books, binding, blanks, printing and other expenses of the office of the superintendent of banks, seven thousand five hundred dollars, or so much thereof as may be necessary.

The amounts required for the aforesaid salaries, clerk hire and other expenses above mentioned, shall be refunded to the treasury, one thousand dollars by the saving banks for carrying out the provisions of chapter six hundred and eighty-nine of the laws of eighteen hundred and ninety-two, providing for the reports concerning dormant account in savings banks, to be assessed upon and collected from the savings banks making such reports, as provided in said chapter, and the remainder of the amounts hereby appropriated by the several banks, individual bankers, savings banks and trust companies in this state in whose behalf the aforesaid salaries, clerk hire and other expenses above

mentioned are incurred, pursuant to chapter six hundred and eighty-nine of the laws of eighteen hundred and ninety-two.

For carrying out the provisions of the banking law, chapter six hundred and eighty-nine of the laws of eighteen hundred and ninety-two, as amended, in reference to the supervision and visitation of mortgage, loan or investment companies, and of co-operative savings and loan associations, and for foreign co-operative savings and loan associations, and other similar associations required by the law to report to said superintendent of banks, the following appropriations:

For clerk in charge of bureau of building and loan associations and foreign corporations, for salary, four thousand dollars.

For one clerk, for salary, twelve hundred dollars.

For one stenographer, for salary, one thousand dollars.

For books, binding, blanks, printing and other expenses of the bureau of building and loan associations and foreign corporations, one thousand three hundred dollars.

Which sum shall be assessed upon and collected from said associations and corporations and refunded to the treasury as provided in said banking law.

For the payment of twenty-one examiners for the examination of corporations and individual bankers, pursuant to the provisions of the banking law, fifty-six thousand dollars, or so much thereof as may be necessary, which shall be assessed and collected from the corporations and individual bankers, according to the amount charged for the examination of each, and refunded to the state treasury.

STATE BOARD OF CHARITIES.

For the secretary of the state board of charities, for salary three thousand five hundred dollars.

The compensation of twelve commissioners as provided by chapter five hundred forty-six of the laws of eighteen hundred and ninety-six, three thousand dollars, or so much thereof as may be necessary.

For superintendent of inspection, two thousand five hundred dollars; chief clerk, one thousand five hundred dollars; clerk, one thousand four hundred dollars; statistician, nine hundred dollars; one stenographer, nine hundred dollars; one stenographer, seven hundred and twenty dollars; clerk, six hundred dollars; junior clerk, four hundred and eighty dollars. For temporary help at the Albany office, five hundred dollars, or so much thereof as may be necessary.

For traveling expenses of the commissioners and secretary while engaged in the discharge of their official duties, three

thousand five hundred dollars, or so much thereof as may be necessary.

For traveling expenses of the employes of the department while engaged in their official duties, two thousand five hundred dollars, or so much thereof as may be necessary.

For rent, printing and other expenses of the office five thousand dollars, or so much thereof as may be necessary.

For postage, and expense of transportation of all letters, official documents or other matter sent by express or freight, including boxes or covering for same, twelve hundred dollars, or so much thereof as may be necessary.

STATE AND ALIEN POOR.

For salary of the superintendent, three thousand dollars; for the deputy superintendent in New York city, one thousand five hundred dollars; for inspector, one thousand five hundred dollars; for assistant inspector, one thousand two hundred dollars; for transfer agent, Kings county almshouse, nine hundred dollars; for transfer agent, Monroe county almshouse, one hundred and eighty dollars; for transfer agent, Erie county almshouse, nine hundred dollars; for stenographer, seven hundred and twenty dollars; for messenger, three hundred dollars; for traveling expenses of superintendent and inspectors, three thousand dollars; for incidental office expenses five hundred dollars; for maintenance, transportation and removal of state, nonresident and alien poor, twenty-six thousand three hundred dollars, or so much thereof as may be necessary; and it shall be the duty of the said board in their annual report to the legislature to give a complete and itemized statement of the expenditures for state paupers during the preceding fiscal year.

NEW YORK OFFICE.

For superintendent, one thousand five hundred dollars; two inspectors, one thousand two hundred dollars each; two inspectors, nine hundred dollars each; stenographer, seven hundred and twenty dollars.

ROCHESTER OFFICE.

For inspector, one thousand two hundred dollars; and stenographer, six hundred dollars.

CIVIL SERVICE COMMISSION.

For the civil service commissioners, for salaries, nine thousand dollars. For the necessary expenses of the several commissioners

while in the discharge of their official duties, including all expenses while attending meetings of commission six hundred dollars each payable monthly.

For expenses of examinations, and compensation of temporary local and expert examiners to be appointed by the commission, five thousand dollars, or so much thereof as may be necessary; such examinations shall be held at least once a year in each of the following places: Albany, Amsterdam, Auburn, Binghamton, Buffalo, Elmira, Hornellsville, Ithaca, Jamestown, Kingston, Lockport, Malone, Newburgh, New York, Ogdensburg, Olean, Plattsburg, Poughkeepsie, Rochester, Syracuse, Utica and Watertown; and shall cover all offices in the state civil service for which competitive examinations are required, except such examinations as require special tools, machinery or laboratory facilities.

Notice shall be mailed to the newspapers publishing the session laws in each county of the time and place of such examination, and the positions for which the examination is held at least twenty days before the time in which to file applications for such examination expires for publication at their option without charge and the commission may require application to be made a reasonable time before the date of examination.

For the chief examiner, for salary, three thousand six hundred dollars, and for his necessary traveling expenses, incurred in the discharge of his duty, four hundred dollars, or so much thereof as may be necessary.

For the secretary, three thousand dollars; assistant secretary, one thousand two hundred dollars; pay roll clerk, seven hundred and twenty dollars; two stenographers, nine hundred dollars each; one stenographer, seven hundred twenty dollars, and one messenger, four hundred and eighty dollars.

For the traveling expenses of the secretary while in the discharge of his official duties, two hundred dollars, or so much thereof as may be necessary.

For books, printing, stationery and other expenses of the office of the civil service commission, two thousand dollars, or so much thereof as may be necessary.

For a senior examiner, one thousand eight hundred dollars; one examiner, nine hundred dollars; and for their necessary traveling expenses while in the discharge of official duties, three hundred dollars, or so much thereof as may be necessary.

For postage, and expense of transportation of all letters, official documents or other matter sent by express or freight, including boxes or covering for same, thirteen hundred dollars, or so much thereof as may be necessary.

STATE DEPARTMENT OF EXCISE.

For salary of state commissioner of excise, five thousand dollars; and for his expenses and disbursements as provided by chapter three hundred and twelve of the laws of eighteen hundred and ninety-seven, one thousand eight hundred dollars; for salary of deputy commissioner, four thousand dollars, and for his expenses and disbursements as provided by chapter three hundred and twelve of the laws of eighteen hundred and ninety-seven, one thousand five hundred dollars; for salary of special deputy commissioner for the boroughs of Manhattan and the Bronx, four thousand dollars; for salary of special deputy commissioner for the borough of Brooklyn, three thousand dollars; for salary of special deputy commissioner for Erie county, three thousand dollars; for salary of special deputy commissioner for the borough of Queens, two thousand five hundred dollars; and for expenses of his office, including office rent and clerical help, one thousand five hundred dollars, or so much thereof as may be necessary; for salary of special deputy commissioner for the borough of Richmond, two thousand dollars; and for expenses of his office, including office rent and clerical help, five hundred dollars, or so much thereof as may be necessary; for the salary of special deputy commissioner for the county of Monroe, two thousand dollars, and for the expenses of his office, including office rent and clerical help, five hundred dollars, or so much thereof as may be necessary; and for expenses of special agent service, including salary of sixty agents, one hundred and twenty-five thousand dollars; for salary of general counsel four thousand five hundred dollars, and for attorneys for Albany, New York, Brooklyn and Buffalo offices, and compensation, costs, expenses and disbursements of attorneys under section ten of the liquor tax law, forty thousand dollars; for salary of secretary, Albany office, two thousand dollars; for salary of financial clerk, Albany office, one thousand eight hundred dollars; for clerical help at Albany office, one bookkeeper, two thousand dollars; five bookkeepers, one thousand two hundred dollars each; two bookkeepers one thousand and eighty dollars each; one clerk, two thousand two hundred dollars; one clerk, two thousand dollars; one clerk, one thousand five hundred dollars; one clerk, one thousand three hundred dollars; one clerk, nine hundred and sixty dollars; one clerk, nine hundred dollars; one clerk, seven hundred and twenty dollars; two stenographers, one thousand and sixty dollars each; two stenographers, one thousand dollars each; one stenographer, one thousand two hundred dollars; two stenographers, nine hundred and sixty dollars each; one stenographer, nine hundred dollars; one stenographer, seven hundred

and eighty dollars; one messenger, nine hundred dollars; one messenger, seven hundred and twenty dollars; one page, five hundred dollars; for clerical help, New York office, one cashier and bookkeeper, three thousand dollars; one assistant cashier and bookkeeper, two thousand two hundred and fifty dollars; one assistant cashier and bookkeeper, one thousand five hundred dollars; one clerk, two thousand dollars; one clerk, one thousand five hundred dollars; seven clerks, one thousand two hundred dollars each; one stenographer, one thousand two hundred dollars; one stenographer and clerk, twelve hundred dollars; for clerical help at Brooklyn office, one cashier and bookkeeper, two thousand two hundred dollars; one assistant cashier and bookkeeper, one thousand six hundred dollars; one clerk, one thousand six hundred dollars; five clerks, one thousand two hundred dollars each; one stenographer, one thousand two hundred dollars; for clerical help at Buffalo office, one cashier and bookkeeper, one thousand seven hundred dollars; one clerk, one thousand five hundred dollars; one clerk, one thousand two hundred dollars; one stenographer, one thousand and eighty dollars; for office expenses, including equipment, stationery, telephoning, telegraphing, express charges, postage, miscellaneous and incidental expenses, Albany and sub offices, six thousand seven hundred dollars; for enumeration and examination of county treasurers' offices, two thousand dollars, for rentals, New York office, five thousand five hundred dollars; Brooklyn office, two thousand four hundred dollars; Buffalo office, one thousand three hundred dollars; for books, blanks and printing, eight thousand dollars; for paying judgments against the state commissioner of excise and also judgments against any special deputy commissioner of excise or against any county treasurer, where said judgments against said special deputy commissioners or county treasurers were obtained in actions or proceedings brought or defended by the direction of the state commissioner of excise, the sum of two thousand five hundred dollars.

For the state commissioner of excise, two hundred seventy thousand dollars, or so much thereof as may be necessary, to pay refunds on surrender of liquor tax certificates, under the provisions of the liquor tax law, to be paid by the state treasurer from excise moneys in his hands upon the certificate of the comptroller.

FOREST, FISH AND GAME COMMISSION.

For salary of the commissioner five thousand dollars; for the expenses of the commissioner and associate commissioners, three thousand dollars, or so much thereof as may be necessary; for the salary of the fish culturist, three thousand dollars, and for his

expenses while in the discharge of his official duty nine hundred dollars, or so much thereof as may be necessary; for the salary of the superintendent of forests, three thousand dollars, and for his necessary expenses while in the discharge of his official duty, nine hundred dollars, or so much thereof as may be necessary; for salary of the assistant secretary, two thousand dollars; for the audit and pay clerk, seventeen hundred dollars, or so much thereof as may be necessary; for special agent and license clerk, fifteen hundred dollars, or so much thereof as may be necessary; stenographer, twelve hundred dollars, or so much thereof as may be necessary. For the salaries of a chief protector two thousand five hundred dollars; clerk to the chief protector, one thousand four hundred dollars; two assistant chief protectors, twelve hundred dollars each; and thirty-two protectors five hundred dollars each, or so much thereof as may be necessary. For the expenses of such chief, assistant chiefs and protectors while in the discharge of their official duties, sixteen thousand nine hundred dollars, or so much thereof as may be necessary. For the salary of superintendent of shell-fish department, two thousand dollars, and for his expenses five hundred dollars, or so much thereof as may be necessary. For the salaries of two oyster protectors, one thousand dollars each; assistant oyster protector, six hundred dollars; cashier and stenographer in the shell-fish department twelve hundred dollars, or so much thereof as may be necessary; confidential clerk in the shell-fish department, fifteen hundred dollars, or so much thereof as may be necessary, and for the expenses of the oyster protectors and assistant oyster protector while in the discharge of their official duties, fifteen hundred dollars, or so much thereof as may be necessary; chief fire warden, fifteen hundred dollars; for foresters, three thousand dollars, or so much thereof as may be necessary, and for expenses of chief fire warden and foresters, two thousand dollars or so much thereof as may be necessary; for the expense and maintenance of fish hatcheries and hatching stations and for the propagation and distribution of food and game fish and fish fry, other than salaries, forty-three thousand dollars, or so much thereof as may be necessary; for rent, stationery, printing and office expenses of the commission, other than salaries three thousand seven hundred and fifty dollars, or so much thereof as may be necessary.

INSPECTOR OF GAS METERS.

For the inspector of gas meters, for salary and salaries of deputies, as provided for by chapter three hundred and eighty-five of

the laws of eighteen hundred and ninety-three, and as provided by chapter three hundred and sixty-four of the laws of eighteen hundred and ninety-eight, eleven thousand dollars. For office and other expenditures, including the providing of seals to be affixed to said meters, as provided by chapter seven hundred and thirty-two of the laws eighteen hundred and ninety-nine, the sum of two thousand dollars, or so much thereof as may be necessary, which several sums hereby appropriated shall be refunded to the treasury by the several gas-light corporations in this state in amounts proportionate to the amount of the capital stock of such corporations respectively, to be ascertained and assessed by the comptroller of the state in accordance with the provisions of chapter three hundred and eighty-five of the laws of eighteen hundred and ninety-three, and acts amendatory thereof and chapter three hundred and sixty-four of the laws of eighteen hundred and ninety-eight.

HEALTH DEPARTMENT.

For the salary of the commissioner of health, thirty-five hundred dollars; and for his expenses, one thousand dollars, or so much thereof as may be necessary.

For the salary of the secretary of the department twenty-five hundred dollars; chief clerk, twenty-four hundred dollars; medical expert fifteen hundred dollars; registrar of vital statistics fifteen hundred dollars; bacteriological expenses, fourteen hundred dollars; stenographer one thousand dollars; six clerks seven thousand dollars, or so much thereof as may be necessary.

For services and expenses of experts, chemists and stenographers in examinations and investigations, three thousand dollars, or so much thereof as may be necessary.

For furniture, books, blanks, binding, printing, and other office expenses, three thousand five hundred dollars, or so much thereof as may be necessary.

For necessary traveling expenses of subordinates of the department while in the discharge of official duties pursuant to the written direction of the commissioner, eighteen hundred dollars, or so much thereof as may be necessary, to be paid upon the audit of the comptroller and upon the certificate of the commissioner.

For postage, and expense of transportation of all letters, official documents, or other matter sent by express or freight, including boxes or covering for same, thirteen hundred and fifty dollars, or so much thereof as may be necessary.

STATE HISTORIAN.

For the state historian, for salary, four thousand five hundred dollars; for the salary of a clerk, one thousand five hundred dollars; and for stationery and other office expenses, three hundred and fifty dollars, or so much thereof as may be necessary.

INSURANCE DEPARTMENT.

For the salary of the superintendent of insurance, seven thousand dollars. And the superintendent of insurance shall receive the sum of one thousand seven hundred dollars annually payable monthly, in lieu of and in full for all expenses and disbursements incurred by him.

For the salary of the first deputy superintendent of insurance, five thousand dollars. And the first deputy superintendent of insurance shall receive the sum of two thousand three hundred dollars annually, payable monthly, in lieu of and in full for all expenses and disbursements incurred by him.

For the salary of the second deputy superintendent of insurance, four thousand five hundred dollars; for the third deputy superintendent of insurance, four thousand five hundred dollars; for the confidential clerk to the superintendent of insurance, two thousand five hundred dollars; for the stenographer to the superintendent of insurance, one thousand two hundred dollars; for the stenographer to the first deputy superintendent of insurance, one thousand two hundred dollars; for the chief clerk of the tax department, three thousand five hundred dollars; for the cashier, three thousand five hundred dollars; for the order clerk, two thousand five hundred dollars; for the bookkeeper, two thousand dollars; for the general clerk, two thousand one hundred dollars; for the stenographer, one thousand four hundred dollars; for the typewriter and copyist, one thousand two hundred dollars; for the mailing clerk, one thousand two hundred dollars; for the messenger, one thousand two hundred dollars; for the night watchman, seven hundred twenty dollars; for the actuary, four thousand five hundred dollars; for the first assistant actuary, three thousand two hundred dollars; for the second assistant actuary, two thousand four hundred dollars; for five assistant actuaries, fifteen hundred dollars each; for five clerks in actuary's department, fifteen hundred dollars each; for certificate of authority clerk, one thousand five hundred dollars; for stationery clerk and expert proof reader, one thousand two hundred dollars; for statistician, two thousand four hundred dollars; for assistant to statistician, one thousand five hundred dollars; for stenographer at the New York office, one thousand two

hundred dollars; for rent of branch office, New York city, one thousand seven hundred dollars; for sundry expenses at New York office of department—telephone, telegraph, and stationery, one thousand dollars, or so much thereof as may be necessary; for printing and binding insurance reports, two thousand five hundred dollars, or so much thereof as may be necessary; for miscellaneous printing and binding, office stationery, postage, expressage, telegrams, telephones, messenger service, office furniture and office expenses, ten thousand dollars, or so much thereof as may be necessary; for incidental expenses, including counsel, traveling expenses of department employes on official business, and extraordinary expenses, five thousand dollars, or so much thereof as may be necessary; for expenses of commutation, compilation and publication of new valuation tables for valuations and other incidental expenses connected therewith, to carry into effect the provisions of section eighty-four of the insurance law, three thousand dollars, or so much thereof as may be necessary.

The following appropriations to be collected from and refunded to the treasury by the corporations under examination, when disbursements therefrom are in consequence of services at or in connection with such examinations.

For chief examiner, for salary, five thousand dollars; for twelve examiners for salaries, thirty thousand dollars, or so much thereof as may be necessary; for services and expenses of department appraisers in this state; for services and expenses of appraisers and examiners designated in other states; for services and expenses of counsel; for expenses of examiners in connection with examinations of insurance companies, and for extra temporary services when required, twenty-eight thousand dollars, or so much thereof as may be necessary.

DEPARTMENT OF LABOR.

For the salary of commissioner of labor, three thousand five hundred dollars; for mediator of industrial disputes, two thousand five hundred dollars; for first deputy commissioner of labor, two thousand five hundred dollars; for assistant first deputy commissioner of labor, two thousand dollars; for second deputy commissioner of labor, two thousand five hundred dollars; for assistant second deputy commissioner of labor, two thousand dollars; for chief statistician, two thousand five hundred dollars; for statistical clerk, two thousand dollars; for special agents, deputy factory inspectors and other necessary clerical services, sixty-four thousand one hundred and seventy-two dollars; for the superintendent of licenses, two thousand four hundred dollars; for the

expenses of the commissioner, one thousand dollars, or so much thereof as may be necessary; for the expenses of the first and second deputies, their assistants, the mediator, the superintendent of licenses, the statistician, the special agents and the deputy factory inspectors, twenty thousand dollars, or so much thereof as may be necessary.

For printing, including the expense of publishing bulletins, five thousand dollars, or so much thereof as may be necessary.

For postage, telephone, telegraph and messenger service, express charges and other expenses, eight thousand four hundred dollars, or so much thereof as may be necessary.

For the expenses of the free employment bureau in New York city, five thousand dollars, or so much thereof as may be necessary.

LAND OFFICE.

For valuations, assessments and other necessary expenses of the public lands and land board five thousand dollars, including the mileage and expenses of the speaker of the assembly for attendance as commissioner of the land office.

LUNACY COMMISSION.

For the state care of the insane, to be expended under the provisions of chapter five hundred and forty-five of the laws of eighteen hundred and ninety-six, chapter nine hundred and forty-four of the laws of eighteen hundred and ninety-six, chapter four hundred and sixty of the laws of eighteen hundred and ninety-seven, and chapter six hundred and thirty-six of the laws of eighteen hundred and ninety-eight:

For the state commissioners in lunacy, for salaries, traveling and incidental expenses, pursuant to chapter five hundred and forty-five of the laws of eighteen hundred and ninety-six, twenty-one thousand one hundred dollars.

For the salary of the secretary of the commission, four thousand dollars.

For salaries of clerks, messengers, experts and other employes, sixteen thousand dollars.

For other clerical services, two thousand dollars.

For the deportation of alien and non-resident lunatics to other countries and states, and for the transfer of patients from one hospital to another to relieve overcrowding, seven thousand dollars.

For compensation and expenses of special agents, ten thousand dollars.

For printing, stationery, postage and other necessary office expenses, five thousand dollars.

For salaries of officers of state hospitals, the sum of two hundred and sixty-five thousand dollars.

For wages of all other employes of state hospitals, the sum of eleven hundred and sixty thousand dollars.

For the support and maintenance of the state hospitals other than salaries and wages of officers and employes, the sum of two million dollars.

For the maintenance of a pathological institute under the direction of the state commission in lunacy, fifteen thousand dollars, out of which sum the commission shall provide accommodations in the city of New York for a hospital to receive a limited number of alleged insane and insane persons where skilled observation is necessary in making required pathological and psychopathic research and examination. Admission to the hospital hereby created shall be regulated by the commission, who shall appoint a superintendent having the qualifications of superintendents of state hospitals provided for in sections thirty-four and thirty-five of this act. He shall perform such duties for the care and treatment of admittel patients, and shall have such privileges, as may be prescribed by the commission. A laboratory shall be established as a part of said hospital, the director of which shall perform such duties relating to pathological research for all of the state hospitals for the insane, and with such privileges in the hospital hereby established, as may be prescribed by the commission.

All moneys hereby appropriated not necessarily expended during the fiscal year for the purposes specified, shall be available for buildings, repairs and improvements.

NATIONAL GUARD.

For the salary of the adjutant-general, four thousand dollars; for the salary of the assistant adjutant-general, military storekeeper and clerical force, as provided in section one hundred and sixty-one of the military code, twenty-three thousand dollars; for salaries of officers on the staff of the major-general commanding the National Guard, and for clerical services, as provided by section one hundred and sixty of the military code, fifteen thousand dollars; for allowances to headquarters of the National Guard, brigades, regiments, battalions and squadron, as provided in section one hundred and fifty-nine of the military code, thirty-four thousand eight hundred dollars; for allowances to officers to assist in uniforming and equipping themselves and organizations for the purpose of defraying necessary military expenses, as provided in sections one hundred and fifty-six and one hundred and

fifty-seven of the military code, one hundred and thirty-one thousand dollars.

For postage and expense of transportation of all letters, official documents or other matter sent by express or freight, including boxes or covering for same, one thousand dollars, or so much thereof as may be necessary.

For the other general expenses of the National Guard of the state, and the office of the adjutant-general, to be expended in accordance with the military code, the sum of two hundred and forty-two thousand two hundred dollars.

MILITARY RECORD FUND.

Revenue.

For the adjutant-general for the expenses of the bureau of military records, payable from the revenue of the military record fund, two thousand dollars, or so much thereof as may be necessary.

NAVAL MILITIA.

For allowances to headquarters of the naval militia and battalions, as provided in section one hundred fifty-nine of the military code, two thousand four hundred dollars; for allowances to officers of the naval militia to assist in uniforming and equipping themselves, and organizations of the naval militia, for the purpose of defraying necessary military expenses as provided in sections one hundred fifty-six and one hundred fifty-seven of the military code, six thousand dollars; for other general expenses of the naval militia and the office of the adjutant-general, to be expended in accordance with the military code, sixteen thousand six hundred dollars.

PRISON'S COMMISSION.

For the salary of the president of the prison's commission two thousand five hundred dollars.

For the salaries of the secretary of the commission and other necessary clerical services four thousand dollars.

For the necessary traveling expenses of the commission and for office expenses fifteen hundred dollars or so much thereof as may be necessary.

PRISONS.

For the support and maintenance of the several state prisons, and the Eastern reformatory pursuant to chapter three hundred and eighty-two of the laws of eighteen hundred and eighty-nine, and for the ordinary repairs thereof and supplying water there-

for, three hundred thousand dollars, or so much thereof as may be necessary.

For the superintendent of state prisons, for salary, six thousand dollars.

For the necessary traveling expenses of the superintendent and his clerk while engaged in the performance of their official duties, one thousand five hundred dollars or so much thereof as may be necessary.

For superintendent's clerk, four thousand dollars; industry clerk, two thousand five hundred dollars; two stenographers, one thousand dollars each; messenger, one thousand dollars; for other office expenses one thousand four hundred and twenty dollars, or so much thereof as may be necessary.

For compensation of sheriff, for the transportation of convicts to prisons, asylum for insane criminals, penitentiaries, houses of refuge and reformatories fifteen thousand dollars, or so much thereof as may be necessary.

For the maintenance of convicts sentenced to penitentiaries, in pursuance of chapter one hundred and fifty-eight of the laws of eighteen hundred and fifty-six, chapter five hundred and eighty-four of the laws of eighteen hundred and sixty-five, chapter six hundred and sixty-seven of the laws of eighteen hundred and sixty-six, chapter five hundred and seventy-four of the laws of eighteen hundred and sixty-nine, chapter two hundred and forty-seven of the laws of eighteen hundred and seventy-four, chapter five hundred and seventy-one of the laws of eighteen hundred and seventy-five, chapter four hundred and ninety of the laws of eighteen hundred and eighty-five, chapter one hundred and fifteen of the laws of eighteen hundred and ninety-one and chapter five hundred and eighty-seven, laws of eighteen hundred and ninety-two, one hundred thousand dollars, or so much thereof as may be necessary.

For the support and maintenance of the state prison for women at Auburn, pursuant to chapter three hundred and six of the laws of eighteen hundred and ninety-three, for ordinary repairs, supplying water therefor and for the transportation of women prisoners, twenty-five thousand dollars, or so much thereof as may be necessary.

DANNEMORA HOSPITAL FOR INSANE CONVICTS.

For the support and maintenance of the Dannemora hospital for insane convicts, forty-five thousand dollars.

For the salaries of the medical superintendent, thirty-six hundred dollars; assistant physician, twelve hundred dollars; and the assistant steward, nine hundred dollars.

MATTEAWAN STATE HOSPITAL FOR INSANE CRIMINALS.

For the support and maintenance of Matteawan state hospital for insane criminals, sixty thousand dollars, or so much thereof as may be necessary.

For the salary of the medical superintendent, four thousand five hundred dollars; for the first assistant, two thousand three hundred dollars; for the second assistant, one thousand five hundred dollars; for the assistant physician, one thousand three hundred dollars, and for the steward, one thousand seven hundred dollars.

PRINTING.

For the legislative printing of the state, including binding, and mapping, but excluding lithographing and engraving, which said lithographing and engraving shall be paid for from the appropriations herein made for the department ordering the same, or to which the same relates, two hundred thousand dollars, or so much thereof as may be necessary, and the comptroller is authorized to pay from said amount for the services of an expert printer to examine all the accounts for printing a sum not to exceed two thousand four hundred dollars per annum.

SESSION LAWS AND OFFICIAL CANVASS.

For the publication of the session laws and the official canvass and official notices provided by law, which are subjects of contract, twenty-five thousand dollars, or so much thereof as may be necessary.

PUBLICATION OF GENERAL LAWS.

For the payment of newspapers in the various counties in this state for the publication of the general laws of the state pursuant to chapter seven hundred and fifteen of the laws of eighteen hundred and ninety-two, one hundred thousand dollars, or so much thereof as may be necessary.

QUARANTINE COMMISSIONERS.

For the commissioners of quarantine, for salaries, seven thousand five hundred dollars.

For the salary of the secretary, eighteen hundred dollars; for the salary of the superintendent, twelve hundred dollars; for the salary of the captain of the tug, twelve hundred dollars; engineer, nine hundred and sixty dollars, a fireman and two deck hands, four hundred and eighty dollars each, a steward six hundred dollars.

For the superintendent of Swinburn island, twenty five hundred dollars; engineer, eleven hundred and fifty dollars; carpenter, nine hundred dollars; two laborers, seven hundred and twenty dollars each; cook, two hundred and forty dollars; laundry, three hundred dollars.

For the superintendent of Hoffman island, fifteen hundred dollars; engineer, ten hundred and fifty dollars; master mechanic, twelve hundred and eighty dollars; two laborers, seven hundred and twenty dollars each.

For general repairs and expense of maintenance, six thousand dollars, or so much thereof as may be necessary.

RAILROAD COMMISSIONERS.

For the board of railroad commissioners, for salaries, and expenses, as provided in section one hundred and seventy, article six, chapter five hundred and sixty-five of the laws of eighteen hundred and ninety, as amended by chapter five hundred and thirty-four of the laws of eighteen hundred and ninety-two, and chapter four hundred and fifty-six, of the laws of eighteen hundred and ninety-six, fifty-five thousand dollars, to be expended as follows: For salaries of three commissioners, eight thousand dollars each; for secretary, six thousand dollars; assistant secretary, three thousand six hundred dollars; steam railroad inspector, three thousand dollars; accountant, two thousand five hundred dollars; examiner, two thousand five hundred dollars; four clerks at one thousand five hundred dollars each; two stenographers, at one thousand two hundred dollars each; and for the traveling expenses of the commissioners, inspectors, accountants, and the necessary office expenses of the commission, five thousand dollars, or so much thereof as may be necessary.

For printing and binding the additional reports of the board of railroad commissioners, as provided in section one hundred and sixty-six, article six, chapter five hundred and sixty-five of the laws of eighteen hundred and ninety, twenty-five hundred dollars or so much thereof as may be necessary.

For the board of railroad commissioners, for an electrical expert and his necessary traveling expenses and for the purchase of law and statistical books the sum of four thousand two hundred and fifty dollars, or so much thereof as may be necessary.

The amounts stated in the last four items shall be refunded to the treasury by the several corporations owning or operating railroads in this state, in such manner and proportion as is prescribed by law.

The sum of one hundred thousand dollars to carry into effect the provisions of chapter seven hundred and fifty-four of the

laws of eighteen hundred and ninety-seven, entitled "An act to amend the railroad law and the acts amendatory thereof relative to grade crossings;" of which sum the board of railroad commissioners is hereby authorized and empowered to expend an amount not exceeding seven thousand five hundred dollars in the employment of expert and clerical service necessary to supervise the work performed under the said chapter seven hundred and fifty-four of the laws of eighteen hundred and ninety-seven, and to prepare plans, maps and specifications therefor, and for other necessary expenses; said seven thousand five hundred dollars to be paid by the treasurer upon the warrant of the comptroller, as directed by the said board of railroad commissioners, from the money hereby appropriated.

STATE SUPERINTENDENT OF ELECTIONS.

For the state superintendent of elections for the metropolitan elections district: For salary of state superintendent, five thousand dollars. For salary of chief deputy, four thousand five hundred dollars. For salary of the clerk, eighteen hundred dollars. For salary of the stenographer, fifteen hundred dollars. For deputy state superintendents of elections, one hundred and ten thousand dollars, or so much thereof as may be necessary. For the state superintendent of elections for office expenses, and expenses incurred in carrying out the provisions of the laws relating to the metropolitan elections district, the sum of ten thousand dollars, or so much thereof as may be necessary.

SUPERINTENDENT OF PUBLIC WORKS.

PAYABLE FROM THE CANAL FUND.

For the salaries of the superintendent of public works, six thousand dollars; deputy superintendent, four thousand dollars; three assistant superintendents, three thousand dollars each; financial clerk, three thousand five hundred dollars; assistant financial clerk, two thousand five hundred dollars; chief clerk three thousand dollars; filing clerk, one thousand two hundred dollars; stenographer, thirteen hundred dollars; stenographer to general inspector nine hundred dollars; stenographer, eight hundred dollars; special agent, one thousand two hundred dollars; messenger, one thousand dollars; clerk eastern division, one thousand six hundred dollars, and stenographer, seven hundred dollars; clerk middle division, one thousand five hundred dollars, assistant clerk, nine hundred dollars, stenographer, six hundred dollars; janitress, three hundred dollars; clerk western division, one thousand five hundred dollars, assistant clerk, twelve hun-

dred dollars; assistant clerk nine hundred dollars; janitress, one hundred and forty-four dollars; for the traveling expenses of the assistant superintendents of public works, one thousand three hundred dollars; and for additional clerk hire, office and contingent expenses of the superintendent and assistant superintendents of public works, six thousand four hundred dollars, or so much thereof as may be necessary.

For the traveling expenses of the superintendent of public works, two thousand five hundred dollars, and for the traveling expenses of the deputy superintendent of public works, one thousand dollars, payable monthly in full for all such expenses.

For the salaries of sixteen section superintendents, one thousand five hundred dollars each; two section superintendents, one thousand two hundred dollars each, and one section superintendent, two thousand dollars.

For the salary of the statistician in the office of the superintendent of public works, one thousand eight hundred dollars; for the salaries of the collectors and compilers of statistics relating to the trade and tonnage of the canals during the season of navigation, eight thousand dollars, comprising two collectors at one hundred and twenty-five dollars each per month, five collectors at one hundred dollars per month, two collectors at eighty dollars per month, and two collectors at seventy dollars per month; for the collectors, clerks and inspectors and measurers of boats, eight thousand dollars, comprising three clerks at eighty dollars per month, ten clerks at seventy dollars per month, two clerks at sixty dollars per month, and for additional clerk hire and contingent expenses of such collectors and inspectors, four thousand six hundred dollars, or so much thereof as may be necessary.

For the payment of the expenses of lock tending and the ordinary repairs of the canals of the state, eight hundred and twenty thousand dollars, or so much thereof as may be necessary.

For the compensation of gate tenders for the state dams upon the Beaver and Moose rivers, as provided by chapter one hundred and sixty-eight of the laws of eighteen hundred and ninety-four, the sum of one thousand one hundred dollars, or so much thereof as may be necessary, to be paid by the comptroller on the certificate of the commissioners appointed under said act, or a majority thereof, and with the approval of the superintendent of public works.

For the compensation of the tender and for the maintenance and operation of the draw-bridge over Minneceingo creek, Rockland county, the sum of seven hundred dollars, or so much thereof as may be necessary, on the certificate of the superintendent of public works.

SUPERINTENDENT OF PUBLIC BUILDINGS.

For the salary of the superintendent of public buildings, five thousand dollars.

For the salary of the deputy superintendent, two thousand five hundred dollars.

For the salary of the chief engineer, two thousand dollars.

For the salary of the confidential clerk and stenographer, two thousand dollars.

For the salary of the clerk and bookkeeper, one thousand two hundred dollars.

For the salary of the paymaster, two thousand dollars.

For the salary of the chief orderly, one thousand five hundred dollars.

For the salary of the storekeeper, one thousand two hundred dollars.

For the salary of the janitor of the state hall, one thousand two hundred dollars.

For the salary of the janitor of the geological hall, one thousand two hundred dollars.

For the services of orderlies, watchmen, engineers, firemen, carpenters, machinist, electricians, cleaners, laborers and other necessary employes in the care and maintenance, the sum of one hundred and ten thousand dollars, or so much thereof as may be necessary.

For lighting and necessary fixtures and appliances therefor, fifty thousand dollars or so much thereof as may be necessary.

For furniture, repairs, coal, fuel and other expenses forty thousand dollars or so much thereof as may be necessary.

For postage, and expense of transportation of all letters, official documents or other matter sent by express or freight, including boxes or covering for same, one hundred fifty dollars, or so much thereof as may be necessary.

STEAM VESSEL INSPECTION.

For the inspectors of steam vessels, for salaries, six thousand dollars; for their actual and necessary traveling expenses while in the discharge of their official duties, and for the supplies necessary for the performance of said duties, one thousand dollars, or so much thereof as may be necessary, pursuant to chapter five hundred and ninety-two of the laws of eighteen hundred and ninety-seven.

TAX COMMISSIONERS.

For the salaries of the tax commissioners the sum of three thousand dollars in addition to the further sum of twelve thousand

dollars heretofore appropriated by chapter ninety-six of the laws of nineteen hundred for the expenses of the state board of tax commissioners, which sum of twelve thousand dollars is hereby reappropriated to apply upon the payment of salaries; for the salary of the secretary three thousand five hundred dollars; for the salary of the confidential appraiser three thousand six hundred dollars; for the salary of the chief clerk two thousand dollars; for other necessary clerical help two thousand four hundred dollars, or so much thereof as may be necessary; for other necessary stenographic work the sum of twenty-four hundred dollars or so much thereof as may be necessary; for salary of messenger three hundred dollars.

Each of the said commissioners shall receive a further sum of two thousand five hundred dollars, payable monthly, in full and in lieu of all expenses and disbursements incurred by them in discharge of their duties.

For printing, stationery, and other office expenses the sum of six thousand dollars, or so much thereof as may be necessary.

For the salary of four special agents seven thousand two hundred dollars and the further sum of five thousand dollars, or so much thereof as may be necessary, for the expenses and disbursements incurred by them in the discharge of their duties, to be paid upon the audit of the comptroller.

For the services and expenses of experts for appraisement and valuation the sum of five thousand dollars, or so much thereof as may be necessary, to be paid upon the certificate of the board of tax commissioners and the audit of the comptroller.

PUBLIC INSTITUTIONS.

CRAIG COLONY FOR EPILEPTICS.

For salaries of officers and employes of the Craig colony for epileptics, for the maintenance of the institution, one hundred and twenty-five thousand dollars, or so much thereof as may be necessary.

HOUSE OF REFUGE FOR WOMEN.

For the compensation of officers and employes of the House of refuge for women, at Hudson, for the maintenance of the institution and for the transportation of the convicts, sixty-six thousand dollars, or so much thereof as may be necessary.

WESTERN HOUSE OF REFUGE FOR WOMEN.

For the compensation of officers and employes of the Western house of refuge for women, at Albion, for the maintenance of

the institution and for the transportation of convicts, thirty-five thousand dollars, or so much thereof as may be necessary.

NEW YORK STATE REFORMATORY FOR WOMEN.

For the New York state reformatory for women at Bedford for the maintenance of the institution and for the transportation of the convicts, thirty thousand dollars, or so much thereof as may be necessary.

JUVENILE DELINQUENTS.

For the Society for the reformation of juvenile delinquents in the city of New York, for maintenance and rewards to inmates and repairs and betterments of tools and equipment and furniture, and for necessary tools to properly conduct the trade schools and common schools and military system and photographing of inmates, one hundred and fifty thousand dollars, or so much thereof as may be necessary.

STATE INDUSTRIAL SCHOOL.

For the State Industrial school at Rochester, for maintenance and rewards to inmates and repairs and betterments of tools and equipment and furniture, and for necessary tools to properly conduct the trade schools and common schools and military system and photographing of inmates, one hundred and seventy-five thousand dollars, or so much thereof as may be necessary.

SYRACUSE STATE INSTITUTION FOR FEEBLE-MINDED CHILDREN.

For the Syracuse state institution for feeble-minded children, for maintenance, eighty thousand dollars, or so much thereof as may be necessary.

CUSTODIAL ASYLUM.

For the support and maintenance of the inmates of the Newark Custodial asylum, for the service of the attendants therein, and for other necessary expenses, fifty-five thousand dollars, or so much thereof as may be necessary.

ROME STATE CUSTODIAL ASYLUM.

For the support and maintenance of the inmates of the Rome State custodial asylum, for the services of attendants therein and for other necessary expenses, seventy-five thousand dollars, or so much thereof as may be necessary.

THOMAS ASYLUM.

For the Thomas asylum for orphan and destitute Indian children, for maintenance and for salaries of officers and teachers, twenty-four thousand dollars, or so much thereof as may be necessary.

STATE REFORMATORY.

For the New York state reformatory, at Elmira, for maintenance and ordinary repairs, and for the purchase of material, and for expenses of manufacturing, pursuant to chapter seven hundred and eleven of the laws of eighteen hundred and eighty-seven, two hundred and fifteen thousand dollars, or so much thereof as may be necessary.

SOLDIERS AND SAILORS' HOME.

For the support and maintenance of the New York state soldiers and sailors' home, and for the transportation of applicants for admission, two hundred and twenty-five thousand dollars, or so much thereof as may be necessary.

WOMEN'S RELIEF CORPS HOME.

For the Women's relief corps home, for maintenance, twenty thousand dollars, or so much thereof as may be necessary.

HOSPITAL FOR CRIPPLED CHILDREN.

For the support and maintenance of the New York state hospital for the care of crippled and deformed children the sum of ten thousand dollars, or so much thereof as may be necessary.

EDUCATIONAL INSTITUTIONS.**NEW YORK INSTITUTION FOR THE BLIND.**

For the support and instruction of one hundred and eighty pupils at the New York institution for the blind, in addition to the sum of eighteen thousand four hundred eighty-one dollars and forty-six cents, remaining unexpended of appropriations heretofore made therefor, which is hereby reappropriated for the current and the next fiscal years, the further sum of thirty-one thousand nine hundred eighteen dollars and fifty-four cents, or a proportionate amount for a shorter period of time than one year, or for a smaller number of pupils, as shall be duly verified by the affidavits of the president and secretary of the institution.

STATE SCHOOL, BATAVIA.

For the maintenance and instruction of the inmates of the State school for the blind, at Batavia, thirty-eight thousand dollars, or so much thereof as may be necessary.

DEAF AND DUMB.

For the support and instruction of two hundred and fifty pupils at the institute for deaf and dumb in New York city, in addition to the sum of eighteen thousand two hundred and thirty-one dollars and eighty-seven cents, remaining unexpended of appropriations heretofore made therefor, which is hereby reappropriated for the current and the next fiscal years, the further sum of fifty-one thousand seven hundred and sixty-eight dollars and thirteen cents.

For the support and instruction of one hundred and twenty pupils at the institution for the improved instruction of deaf-mutes in New York city, in addition to the sum of eight thousand four hundred and sixty-five dollars and fifty cents, remaining unexpended of appropriations heretofore made therefor, which is hereby reappropriated for the current and the next fiscal years, the further sum of twenty-five thousand one hundred thirty-four dollars and fifty cents.

For the support and instruction of one hundred ten pupils at the Le Couteulx Saint Mary's institution for the improved instruction of deaf-mutes, at Buffalo, in addition to the sum of two thousand eight hundred and thirty-eight dollars and fifty-four cents remaining unexpended of appropriations heretofore made therefor, which is hereby reappropriated for the current and next fiscal years, the sum of twenty-seven thousand nine hundred and sixty-one dollars and forty-six cents.

For the support and instruction of one hundred and fifteen pupils at the Central New York institution for the improved instruction of deaf-mutes, at Rome, in addition to the sum of fifteen thousand eight hundred and eight dollars and fifty-nine cents, remaining unexpended of appropriations heretofore made therefor, which is hereby reappropriated for the current and the next fiscal years, the further sum of sixteen thousand three hundred ninety-one dollars and forty-one cents.

For the support and instruction of sixty-five pupils at the Northern New York institution for deaf-mutes, at Malone, in addition to the sum of four thousand one hundred sixty dollars and thirty-five cents, remaining unexpended of appropriations heretofore made therefor, which is hereby reappropriated for the current and the next fiscal years, the further sum of fourteen thousand and thirty-nine dollars and sixty-five cents.

For the support and instruction of two hundred and eighteen pupils at Saint Joseph's institution for the improved instruction of deaf-mutes, at Fordham, sixty-one thousand and forty dollars.

For the support and instruction of twenty pupils at the Albany home school for the deaf, in addition to the sum of four hundred ninety-six dollars and eighty-four cents, remaining unexpended of appropriations heretofore made therefor, which is hereby reappropriated for the current and the next fiscal years, the further sum of five thousand one hundred and three dollars and sixteen cents.

For the support and instruction of one hundred pupils at the Western New York institution, at Rochester, for the improved instruction of deaf-mutes, twenty-eight thousand dollars.

The amount hereby appropriated for the several institutions for the support and instruction of deaf-mutes is at the rate of two hundred and eighty dollars per capita per annum and a proportionate amount for a shorter period of time than one year, or for a smaller number of pupils in each case, shall be allowed in each of the last eight items, and paid by the comptroller, upon certificate verified by oath of the president and secretary of such institution, and upon the approval of the superintendent of public instruction.

ALFRED UNIVERSITY.

For the maintenance of the state school of clay workings and ceramics at Alfred university as provided by chapter three hundred and eighty-three of the laws of nineteen hundred, five thousand dollars, or so much thereof as may be necessary.

CORNELL UNIVERSITY.

For payment to Cornell university, being the interest at five per centum on the proceeds of the college land scrip fund pursuant to chapter seventy-eight of the laws of eighteen hundred and ninety-five, thirty-four thousand four hundred and twenty-eight dollars and eighty cents.

For the state veterinary college at Cornell university for maintenance, equipment and necessary material to conduct the same, fifteen thousand dollars, and the further sum of ten thousand dollars appropriated by chapter four hundred nineteen of the laws of nineteen hundred, for the state veterinary college, which sum is hereby reappropriated, payable to the treasurer of Cornell university on the warrant of the comptroller.

For the state college of forestry, to be expended under the direction of the board of trustees of Cornell university, as provided by chapter one hundred twenty-two of the laws of eighteen hundred and ninety-eight, ten thousand dollars.

For Cornell university, for the promotion of agricultural knowledge throughout the state, as provided by chapter four hundred thirty of the laws of eighteen hundred and ninety-nine, thirty-five thousand dollars. Three thousand dollars thereof to be used in the promotion of knowledge relating to poultry and egg production.

MISCELLANEOUS.

COUNTY TREASURERS.

For advances to county treasurers on account of taxes on property of non-residents, and for taxes on state, wild or forest lands which may be returned to the comptroller's office, and for adjusting accounts of state taxes with counties, fifty-five thousand dollars, or so much thereof as may be necessary.

NIAGARA RESERVATION.

For the commissioners of the state reservation at Niagara, for salaries of employes and for actual and necessary expenses while engaged in the discharge of official duties, twenty-five thousand dollars, or so much thereof as may be necessary.

REDEMPTION OF LANDS.

The sum of nine thousand five hundred and fifty dollars and eight cents, being the unexpended balance of an appropriation made for such purpose by chapter five hundred and seventy, laws of eighteen hundred and ninety-nine, is hereby reappropriated for payment of money to purchases upon redemption of lands sold for taxes.

REFUND OF TAXES.

The sum of eight hundred and sixty dollars and twenty-five cents, appropriated by chapter five hundred and seventy, laws of eighteen hundred and ninety-nine, for repayment of money erroneously paid into the treasury for taxes is hereby reappropriated for the same purpose.

INDIAN AFFAIRS.

For the payment of the annuities to the several Indian tribes, as follows:

To the Onondagas, two thousand four hundred and thirty dollars.

To the Cayugas, two thousand three hundred dollars.

To the Senecas, five hundred dollars.

To the Saint Regis, two thousand one hundred and thirty-one dollars and sixty-seven cents.

For the relief of the Onondaga Indians, three hundred dollars.

For compensation of the agent of the Onondaga Indians, two hundred dollars.

For compensation of the agent of the Onondaga Indians, pursuant to chapter one hundred and seventy-eight of the laws of eighteen hundred and forty-seven and chapter six hundred and thirty-five of the laws of eighteen hundred and sixty-nine, sixty-five dollars.

For compensation of the agent of the Onondaga Indians, residing on the Allegany and Cattaraugus reservation, one hundred and fifty dollars.

For compensation of the attorney of the Saint Regis Indians, one hundred and fifty dollars.

For compensation of the attorney of the Seneca Indians, one hundred and fifty dollars.

For compensation of the attorney of the Tonawanda band of Seneca Indians, one hundred and fifty dollars.

VARIOUS.

For supplying other states with reports of the court of appeals and the supreme court pursuant to section twenty-seven of the executive law as amended by chapter two hundred and forty-eight of the laws of eighteen hundred and ninety-three, one thousand five hundred dollars, or so much thereof as may be necessary.

For the trustees of Washington's headquarters, at Newburgh, for compensation of the superintendent, and for the care, maintenance, repairs and improvements of the grounds, one thousand dollars, or so much thereof as may be necessary.

For the trustees of public buildings, for the salary of the keeper of the senate-house property, at Kingston, pursuant to chapter two hundred and twenty-seven of the laws of eighteen hundred and ninety-three, six hundred dollars.

For the expenses of the board of port wardens of the port of New York, pursuant to chapter one hundred and forty-two of the laws of eighteen hundred and ninety-one, forty-five hundred dollars, or so much thereof as may be necessary.

For salary of janitor of the Saratoga monument, five hundred dollars as provided by chapter nine hundred and fifty-five, laws of eighteen hundred and ninety-five.

For care and maintenance of Grant cottage, as provided by chapter six hundred and sixty-seven, laws of eighteen hundred and ninety-six, one thousand dollars, or so much thereof as may be necessary.

§ 2. The several amounts herein appropriated shall be paid by

the treasurer from the respective sums as specified, and the salaries as herein determined shall be and hereby are established and fixed by this act except as hereinafter provided for the several officers for whom they are designated and shall be paid by the treasurer pursuant to the requirements of chapter four hundred and thirteen, laws of eighteen hundred and ninety-seven, and chapter five hundred and forty-six, laws of eighteen hundred and ninety-six, and it shall be the duty of the treasurer to report annually to the legislature the detail of the several expenditures.

The salary or compensation of any officer or employe, when not prescribed by law, other than this act, for which an appropriation is made by this act, may be fixed by the department, official or officials appointing such officer, or employing such employe, at a less, but not at a greater sum than the amount herein appropriated for the salary or compensation of such officer or employe. No appropriation herein contained shall be available for the salary or compensation of any regular officer or employe whose employment or office is not herein specified unless his appointment or employment is expressly authorized.

A manager, trustee or officer of any state, charitable, or other institution receiving moneys under this act from the state treasury, for maintenance and support, shall be entitled to actual and necessary traveling expenses only when attending meetings of the board at the office of the institution, or in attendance on the state board of charities or the state comptroller, pursuant to a request of said board or comptroller.

§ 3. This act shall take effect immediately.

FRANK W. HIGGINS,
E. R. BROWN,
BERNARD F. MARTIN,

Senate Conferees.

J. P. ALLDS,
OTTO KELSEY,
R. J. FISH,
DANIEL D. FRISBIE,
GEORGE T. KELLY,

Assembly Conferees.

Which report was agreed to, and said bill ordered printed and restored to its place on the order of third reading.

Mr. Speaker announced the special order, being the bill (No. 2468) entitled "An act to amend chapter 14 of the Laws of 1880,

entitled 'An act to further amend chapter 143 of the Laws of 1861, entitled An act to amend and consolidate the several acts in relation to the charter of the city of Rochester,' and to consolidate therewith the several acts in relation to the charter of said city, relative to expenses incident to improvements." (Int. No. 1648.)

Said bill was read the second time.

On motion of Mr. M. E. Lewis, said bill was placed on the order of third reading.

Mr. M. E. Lewis moved that said bill be recommitted to the committee on affairs of cities, with instructions to report the same forthwith amended as follows:

Page 2, line 3, insert "200" after the word chapter.

Page 3, line 14, underscore the word "computation."

Same page, line 18, strike out the word "of" following the word "assessment" and insert the word "or."

Same page, line 21, strike out the bracket after the word "treasurer."

Same page, line 21, strike out the parenthesis preceding the word "persons."

Same page, line 26, strike out the parenthesis following the word "section."

Same page, line 26, insert a bracket after the word "section."

Page 5, line 7, strike out the bracket following the word "roll."

Same page, line 7, strike out the parenthesis preceding the word "on."

Same page, line 8, strike out the word "additional."

Same page, line 9, strike out the parenthesis following the word "annum" and insert a bracket.

Page 6, line 10, after the word "improvements" insert the words "and interest thereon."

Same page, line 12, after the word "improvements" insert the word "hereafter."

Page 7, line 20, strike out the period following the word "improvements" and insert a comma.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Kelsey, from the committee on affairs of cities, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

Mr. Speaker announced the special order, being the bill (No.

2466) entitled "An act to amend chapter 14 of the Laws of 1880, entitled 'An act to further amend chapter 143 of the Laws of 1861, entitled An act to amend and consolidate the several acts in relation to the charter of the city of Rochester,' and to consolidate therewith the several acts in relation to the charter of said city, and to permit the common council of said city to grant rebates of interest and penalties on unpaid taxes and local assessments." (Int. No. 1646.)

Said bill was read the second time.

On motion of Mr. M. E. Lewis, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof and three-fifths being present.

} AYES 100 }
 } NOES 00 }

Those who voted in the affirmative, were

Adams	Coughtry	Hanford	Mathews	Ruehl
Adler	Darrison	Harris	McKeown	Sanders
Ahern	DeGraw	Hasenflug	McMillan	Scanlon
Allds	Dempsey	Hatch	Meister	Seymour
Allston	Dickey	Hawkins	Morgan	Sherer
Axtell	Dickinson	Henry	Nye	Smith J E
Babcock	Doughty	Hitchcock	O'Connell	Smith J T
Baker	Dusinbery	Honeck	O'Malley	Smith S W
Baum	Ellis	Hyman	Patton	Smith W H
Bedell	Everett	Juengst	Phillips	Stevens
Bell	Fish	Kaiser	Plank	Swarts
Blackwell	Fitzgerald	Kelly	Poth	Swift
Brill	Fitzpatrick	Kelsey	Prince	Thorn
Brooks	Fowler	Knipp	Rainey	Traub
Bryan	Frisbie	Leggett	Remsen	Ulmann
Burns	Gardiner R	Lewis M E	Reynolds	Vacheron
Conger	Gardner C J	Lewis T D	Rider	Van Name
Cook	Graeff	Lynn	Roberts	Waite
Cooley	Griffith	Mansfield	Rodenbeck	Walrath
Cotton	Halpin	Marson	Ross	Weekes

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the Senate bill (No. 1272) entitled "An act to amend section 641 of the Penal Code, to prevent employes of telegraph and telephone companies aiding criminals in violating the laws of this State." (Rec. No. 434.)

Said bill was read the second time.

On motion of Mr. Babcock, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof and three-fifths being present.

{	AYES	90	}
{	NOES	00	}

Those who voted in the affirmative, were

Adams	Davis	Harburger	McKeown	Ruehl
Adler	Delaney	Harris	McMillan	Sanders
Allds	Dickey	Hatch	Meister	Schneider
Allston	Dooling	Hawkins	Morgan	Sberer
Apgar	Duross	Hitchcock	O'Brien	Smith J L
Babcock	Dusinbery	Honeck	O'Malley	Smith J T
Baum	Egan	Irwin	Patton	Smith S W
Bell	Everett	Juengst	Phipps	Smith W H
Blackwell	Fish	Kaiser	Plank	Snyder
Brill	Fitzgerald	Keenan	Poth	Stevens
Bruckner	Fordyce	Kelly	Prince	Swarts
Burnett	Fowler	Kelsey	Reilley	Swift
Cadin	Galbraith	Leggett	Reynolds	Thorn
Cook	Gardner C J	Lewis T D	Richter	Treat
Coons	Geoghan	Mains	Rierdon	Ulmann
Cotton	Graeff	Mansfield	Roberts	Van Name
Coughtry	Halpin	Mathews	Rodenbeck	Weber
Darrison	Hammond	McInerney	Ross	Wilson H

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the bill (No. 2195) entitled "An act to authorize the fire commissioner of the city of New York to grant certificates of discharge to volunteer firemen formerly members of the volunteer fire department of the city of New York." (Int. No. 1517.)

Said bill was read the second time.

On motion of Mr. J. E. Smith, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof and three-fifths being present.

{	AYES	108	}
{	NOES	1	}

Those who voted in the affirmative, were

Adams	Coons	Griffith	McKeown	Salyerds
Adler	Cotton	Hallock	McMillan	Sanders
Allds	Coughtry	Hammond	McQuade	Schneider
Allston	Daly	Harburger	Meister	Seymour
Apgar	Darrison	Harris	Nye	Smith A R
Axtell	DeGraw	Hatch	O'Brien	Smith J L
Babcock	Delaney	Hawkins	O'Connell	Smith J T
Baker	Dempsey	Hitchcock	O'Malley	Smith S W
Baum	Dickey	Holsten	Patton	Snyder
Bedell	Dooling	Hyman	Phillips	Stevens
Bennet	Doughty	Juengst	Phipps	Sullivan
Blackwell	Dusinbery	Kaiser	Platt	Swarts
Bradley	Egan	Keenan	Price	Swift
Brill	Everett	Kelly	Prince	Traub
Brooks	Fish	Knipp	Reilley	Ulmann
Bruckner	Fisher	Landon	Remsen	Vacheron
Bryan	Fitzpatrick	Lewis M E	Richter	Van Name
Burnett	Fordyce	Lewis T D	Rider	Waite
Burns	Frisbie	Mains	Roberts	Walrath
Cadin	Galbraith	Mansfield	Rodenbeck	Weber
Cook	Gardner C J	Marson	Ross	Wilson H
Cooley	Geoghan	McInerney		

Those who voted in the negative,

Davis

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2465) entitled "An act to amend subsection 5 of section 34 of the University Law in relation to the powers of trustees of institutions in the University." (Int. No. 1645.)

Said bill was read the second time.

On motion of Mr. Griffith, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof and three-fifths being present.

}	AYES	94	}
}	NOES	00	}

Those who voted in the affirmative, were

Adams	Coughtry	Griffith	Marson	Rodenbeck
Adler	Daly	Hallock	Mathews	Rogers
Ahern	Darrison	Hammond	McKeown	Ruehl
Allds	DeGraw	Hanford	McQuade	Sanders
Apgar	Dempsey	Harris	Meister	Schneider
Axtell	Dickey	Hasenflug	Nye	Sherer
Baum	Dickinson	Hawkins	O'Brien	Smith J E
Bell	Doughty	Hitchcock	O'Connell	Smith J T
Bennet	Dusinbery	Honeck	Orr	Smith W H
Blackwell	Egan	Juengst	Phillips	Snyder
Bradley	Everett	Kaiser	Plank	Sullivan
Brill	Fish	Keenan	Platt	Swarts
Bruckner	Fisher	Kelly	Poth	Thorn
Burns	Fitzgerald	Kelsey	Price	Treat
Cadin	Fordyce	Knipp	Rainey	Vacheron
Conger	Frisbie	Leggett	Remsen	Waite
Cooley	Gardiner R	Lewis M E	Reynolds	Weber
Coons	Gardner C J	Lynn	Rider	Wilson H
Cotton	Geoghan	Mansfield	Rierdon	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2269) entitled "An act to amend the Forest, Fish and Game Law, in relation to penalties for unlawful taking or interfering with Antwerp or homing pigeons." (Int. No. 1547.)

Said bill was read the second time.

On motion of Mr. Fowler, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof and three-fifths being present.

{	AYES	90	}
{	NOES	00	}

Those who voted in the affirmative, were

Adams	Cooley	Griffith	Marson	Sanders
Adler	Costello	Hallock	McInerney	Scanlon
Ahern	Coughtry	Hammond	McMillan	Seymour
Allds	Darrison	Harburger	McQuade	Smith A R
Apgar	DeGraw	Hasenflug	Morgan	Smith J E
Babcock	Dempsey	Hatch	O'Brien	Smith J T
Baker	Dickinson	Hitchcock	O'Malley	Smith W H
Baum	Dooling	Holsten	Orr	Snyder
Bedell	Doughty	Hyman	Phillips	Sullivan
Bell	Dusinbery	Juengst	Plank	Swift
Blackwell	Ellis	Kaiser	Poth	Traub
Bradley	Fancher	Keenan	Prince	Treat
Brill	Fisher	Kelly	Reilley	Vacheron
Brooks	Fitzgerald	Kelsey	Reynolds	Van Name
Bruckner	Fordyce	Landon	Rider	Walrath
Burnett	Frisbie	Lewis M E	Roberts	Weber
Cadin	Gardiner R	Lynn	Rogers	Weekes
Cook	Gardner C J	Mansfield	Ruehl	Wilson H

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2381) entitled "An act to amend chapter 448 of the Laws of 1900, entitled 'An act to provide for the drainage of the Conewango

creek in the county of Chautauqua and making an appropriation and reappropriation therefor." (Int. No. 1090.)

Said bill was read the second time.

On motion of Mr. Fowler, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof and three-fifths being present.

{ AYES 89 }
{ NOES 1 }

Those who voted in the affirmative, were

Adams	Coughtry	Hammond	McQuade	Sanders
Adler	Daly	Harburger	Meister	Seymour
Allston	Davis	Hasenflug	Nye	Sherer
Apgar	Delaney	Hatch	O'Brien	Smith A R
Axtell	Dickey	Hawkins	O'Connell	Smith J L
Baker	Dooling	Hitchcock	Orr	Smith J T
Bedell	Duross	Holsten	Patton	Smith W H
Bell	Egan	Honeck	Phipps	Stevens
Blackwell	Ellis	Juengst	Platt	Swift
Brill	Everett	Kaiser	Poth	Swarts
Bruckner	Fish	Keenan	Prince	Thorn
Bryan	Fitzgerald	Kelly	Reilley	Treat
Burnett	Fitzpatrick	Knipp	Reynolds	Vacheron
Conger	Fowler	Leggett	Richter	Waite
Cooley	Galbraith	Lewis T D	Rierdon	Weber
Coons	Gardner C J	Mains	Robinson	Weekes
Costello	Griffith	Mathews	Rogers	Wilson H
Cotton	Hallock	McKeown	Ruehl	

In the negative,

Allds

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2321) entitled "An act to amend the Railroad Law in relation to the acquisition of property by street surface railroad corporations." (Int. No. 575.)

Said bill was read the second time.

On motion of Mr. Lynn, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof and three-fifths being present.

{ AYES 93 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Dickey	Hitchcock	O'Brien	Scanlon
Ahern	Dooling	Honeck	O'Connell	Seymour
Allds	Duross	Irwin	Orr	Sherer
Apgar	Egan	Juengst	Patton	Smith J E
Axtell	Everett	Kaiser	Phillips	Smith J T
Baker	Fish	Keenan	Plank	Smith S W
Bedell	Fitzgerald	Kelly	Poth	Smith W H
Bennet	Fordyce	Kelsey	Price	Snyder
Bradley	Frisbie	Knipp	Prince	Stevens
Brooks	Galbraith	Leggett	Reilly	Swarts
Bryan	Gardner C J	Lewis M E	Reynolds	Swift
Burns	Graeff	Lynn	Richter	Traub
Conger	Griffith	Mains	Rierdon	Ulmann
Cook	Halpin	Mansfield	Roberts	Vacheron
Coons	Hammond	Mathews	Rodenbeck	Waite
Cotton	Hanford	McInerney	Ross	Walrath
Daly	Harris	McMillan	Ruehl	Weber
Davis	Hatch	McQuade	Sanders	Weekes
Delaney	Hawkins	Morgan		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2375) entitled "An act to extend and regulate liability of employers to employes and others for injuries suffered by them." (Int. No. 38.)

Mr. Allds moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the clerk called the roll, when the following members responded:

Ahern	Daly	Harburger	McKeown	Ross
Allds	Darrison	Harris	McMillan	Ruehl
Allston	Davis	Hasenflug	McQuade	Salyerds
Apgar	Delaney	Hatch	Meister	Sanders
Axtell	Dickey	Hawkins	Morgan	Scanlon
Babcock	Dickinson	Henry	Nye	Schneider
Baker	Doughty	Hitchcock	O'Connell	Seymour
Baum	Dusinbery	Holsten	O'Malley	Sherer
Bedell	Egan	Honeck	Orr	Smith A R
Bell	Ellis	Hyman	Patton	Smith J E
Bennet	Everett	Irwin	Phillips	Smith J L
Blackwell	Fancher	Juengst	Phipps	Smith J T
Bradley	Fish	Kaiser	Plank	Smith S W
Brill	Fisher	Keenan	Platt	Smith W H
Brooks	Fitzgerald	Kelly	Poth	Snyder
Bruckner	Fitzpatrick	Kelsey	Price	Stevens
Bryan	Fordyce	Knipp	Prince	Sullivan
Burnett	Fowler	Landon	Rainey	Swarts
Burns	Galbraith	Leggett	Reilley	Swift
Cadin	Gardiner R	Lewis M E	Remsen	Thorn
Conger	Geoghan	Lewis T D	Reynolds	Traub
Cook	Graeff	Lynn	Richter	Treat
Cooley	Griffith	Mains	Rider	Ulmann
Coons	Hallock	Mansfield	Rierdon	Van Name
Costello	Halpin	Marson	Robinson	Waite
Cotton	Hammond	Mathews	Rodenbeck	Walrath
Coughtry	Hanford	McInerney	Rogers	Wilson H

135

The Clerk furnished a list of absentees to the Sergeant-at-Arms, who appeared in due time before the bar of the House, with Messrs. Vacheron and O'Brien, each of whom, upon giving satisfactory explanation for being absent, was excused.

Mr. Allds moved that all further proceedings, under the call of the House, be suspended.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Debate was had on the third reading of said bill, when

Mr. Allds moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof and three-fifths being present.

{ AYES 82 }
{ NOES 55 }

Those who voted in the affirmative, were

Adams	Coughtry	Harris	Nye	Seymour
Allds	Darrison	Hatch	O'Brien	Sherer
Allston	Davis	Henry	Orr	Smith A R
Apgar	Dickinson	Hitchcock	Phillips	Smith J L
Axtell	Dusinbery	Irwin	Phipps	Smith J T
Babcock	Everett	Kelly	Platt	Smith S W
Baker	Fancher	Kelsey	Price	Smith W H
Bedell	Fish	Landon	Reynolds	Snyder
Bell	Fisher	Leggett	Rierdon	Stevens
Bennet	Fordyce	Lewis M E	Robinson	Swarts
Brill	Fowler	Lewis T D	Rodenbeck	Swift
Bryan	Gardiner R	Mains	Rogers	Thorn
Burnett	Graeff	Mansfield	Ross	Treat
Conger	Griffith	Marson	Salyerds	Vacheron
Cooley	Hallock	McInerney	Sanders	Weber
Coons	Hammond	Morgan	Scanlon	Wilson H
Costello	Hanford			

Those who voted in the negative, were

Ahern	Dickey	Harburger	McKeown	Remsen
Baum	Dooling	Hasenflug	McMillan	Richter
Blackwell	Doughty	Hawkins	McQuade	Rider
Bradley	Egan	Holsten	Meister	Ruehl
Brooks	Ellis	Honeck	O'Connell	Schneider
Bruckner	Fitzgerald	Hyman	O'Malley	Smith J E
Burns	Fitzpatrick	Juengst	Patton	Sullivan
Cadin	Frisbie	Kaiser	Plank	Traub
Cook	Galbraith	Keenan	Poth	Ulmann
Daly	Geoghan	Lynn	Prince	Waite
Delaney	Halpin	Mathews	Reilley	Walrath

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Burnett in the chair.

Mr. Speaker announced the special order, being the bill (No. 2452) entitled "An act to amend the Greater New York charter, relative to offensive trades in the several boroughs of the city of New York and to provide compensation for the persons conducting such trades upon the discontinuing of the same." (Int. No. 971.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 101 }
{ NOES 45 }

Those who voted in the affirmative, were

Adams	Coons	Hallock	Nye	Seymour
Adler	Costello	Hammond	O'Brien	Sherer
Ahern	Cotton	Hanford	O'Malley	Smith A R
Allds	Darrison	Harris	Orr	Smith J L
Allston	DeGraw	Hatch	Patton	Smith J T
Apgar	Dickinson	Henry	Phillips	Smith S W
Axtell	Doughty	Hitchcock	Phipps	Smith W H
Babcock	Dusinbery	Irwin	Plank	Snyder
Baker	Ellis	Kelsey	Platt	Stevens
Bedell	Everett	Knipp	Price	Swarts
Bell	Fancher	Landon	Rainey	Swift
Bennet	Fish	Leggett	Remsen	Thorn
Blackwell	Fisher	Lewis M E	Reynolds	Traub
Brill	Fordyce	Lewis T D	Roberts	Treat
Brooks	Fowler	Mains	Robinson	Vacheron
Bryan	Galbraith	Mansfield	Rodenbeck	Waite
Burnett	Gardiner R	Marson	Ross	Walrath
Cadin	Gardner C J	McMillan	Ruehl	Weber
Conger	Graeff	McQuade	Salyerds	Weekes
Cook	Griffith	Morgan	Schneider	Wilson H
Cooley				

Those who voted in the negative, were

Baum	Dcoling	Hasenflug	Lynn	Richter
Bradley	Duross	Hawkins	Mathews	Rider

Bruckner	Egan	Holsten	McInerney,	Rierdon
Burns	Fitzgerald	Honeck	McKeown	Sanders
Daly	Fitzpatrick	Hyman	Meister	Scanlon
Davis	Frisbie	Juengst	O'Connell	Smith J E
Delaney	Geoghan	Kaiser	Poth	Sullivan
Dempsey	Halpin	Keenan	Prince	Ulmann
Dickey	Harburger	Kelly	Reilley	Van Name

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2415) entitled "An act to amend section 56 of the Code of Criminal Procedure relating to jurisdiction of courts of special sessions." (Int. No. 1405.)

Said bill having been announced for a third reading,

On motion of Mr. Landon, said bill was laid aside, and ordered stricken from the calendar.

Mr. Speaker announced the special order, being the bill (No. 2377) entitled "An act to amend chapter 360 of the Laws of 1898, entitled 'An act to amend chapter 413 of the Laws of 1897, entitled "An act relating to State finance, constituting chapter 10 of the general laws, and known as the State Finance Law," in reference to the education fund,' in relation to the compensation of loan commissioners in connection with the sale of land acquired by foreclosure." (Int. No. 228.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 90 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Daly	Harris	McKeown	Rogers
Adler	Davis	Hatch	McQuade	Ruehl
Ahern	Delaney	Henry	Meister	Sanders
Allston	Dickey	Hitchcock	Nye	Schneider
Apgar	Doolling	Holsten	O'Brien	Sherer

Babcock	Duross	Hyman	O'Malley	Smith J E
Baker	Egan	Juengst	Orr	Smith S W
Bedell	Ellis	Kaiser	Phillips	Snyder
Bennet	Fancher	Keenan	Phipps	Stevens
Blackwell	Fisher	Kelly	Platt	Swarts
Brill	Fitzpatrick	Kelsey	Poth	Swift
Brooks	Fowler	Knipp	Price	Thorn
Bryan	Galbraith	Landon	Prince	Traub
Burns	Gardner C J	Leggett	Reilley	Vacheron
Cadin	Graeff	Lewis T D	Remsen	Van Name
Cook	Hallock	Lynn	Richter	Walrath
Coons	Hammond	Mansfield	Rierdon	Weber
Costello	Hanford	Mathews	Robinson	Wilson H

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2419) entitled "An act to amend chapter 312 of the Laws of 1898, entitled 'An act increasing the jurisdiction of the city court of Albany and relative to a jury list in said court and regulating the practice therein' as amended by chapter 590 of the Laws of 1899." (Int. No. 1642.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 97 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Cotton	Hallock	Mains	Ross
Adler	Coughtry	Halpin	Mansfield	Salyerds
Ahern	Daly	Hanford	McInerney	Allston
Allds	Davis	Harburger	McKeown	Sanders
Apgar	DeGraw	Hasenflug	McQuade	Schneider
Babcock	Dempsey	Hatch	Meister	Sherer
Baker	Dickey	Hawkins	Nye	Smith A R
Bedell	Dooling	Hitchcock	O'Connell	Smith J L
Bell	Duross	Holsten	O'Malley	Smith J T
Blackwell	Dusinbery	Honeck	Patton	Smith S W

Bradley	Ellis	Irwin	Phipps	Snyder
Brooks	Everett	Juengst	Platt	Sullivan
Bruckner	Fish	Kaiser	Price	Swift
Burnett	Fitzgerald	Keenan	Rainey	Thorn
Burns	Fitzpatrick	Kelly	Reilley	Treat
Cadin	Fowler	Landon	Reynolds	Ulmann
Conger	Frisbie	Leggett	Rierdon	Waite
Cook	Gardiner R	Lewis M E	Roberts	Walrath
Coons	Geoghan	Lewis T D	Rodenbeck	Weekes
Costello	Graeff			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2434) entitled "An act to amend chapter 385 of the Laws of 1862, entitled 'An act to amend and consolidate the several acts relative to the city of Schenectady' in relation to providing means for payment of certain street improvements." (Int. No. 1456.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{	AYES	90	}
{	NOES	00	}

Those who voted in the affirmative, were

Adams	Coons	Griffith	McKeown	Ruehl
Adler	Cotton	Halpin	McQuade	Sanders
Ahern	Daly	Hanford	Morgan	Schneider
Alds	Davis	Harris	Nye	Sherer
Allston	DeGraw	Hatch	O'Malley	Smith A R
Apgar	Dempsey	Hawkins	Orr	Smith J L
Babcock	Dickinson	Holsten	Phillips	Smith S W
Baker	Doughty	Honeck	Phipps	Snyder
Baum	Dusinbery	Irwin	Platt	Stevens
Bedell	Egan	Kaiser	Poth	Swartz
Bell	Everett	Keenan	Prince	Thorn
Blackwell	Fish	Kelly	Reilley	Traub
Bradley	Fitzgerald	Knipp	Reynolds	Ulmann
Brooks	Fitzpatrick	Landon	Rider	Vacheron

Bryan	Fowler	Lewis T D	Rierdon	Van Name
Burns	Frisbie	Mains	Robinson	Walrath
Cadin	Gardiner R	Mansfield	Rodenbeck	Weber
Cook	Geoghan	Mathews	Ross	Wilson H

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2120) entitled "An act authorizing the Board of Education of Union Free School District No. 1, of the town of Catskill, county of Greene, New York, to enter into an agreement in regard to the care and maintenance of a public library on lands owned by the Catskill public library in said union free school district." (Int. No. 1485.)

Said bill having been announced for a third reading,

On motion of Mr. Rider, said bill was laid aside, and ordered stricken from the calendar.

Mr. Speaker announced the special order, being the bill (No. 2441) entitled "An act to amend chapter 227 of the Laws of 1898, entitled 'An act to create a public improvement commission in and for the city of Cohoes, and define its powers and duties,' in relation to street pavements, condemnation proceedings and assessments." (Int. No. 1634.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{	AYES	90	}
{	NOES	00	}

Those who voted in the affirmative, were

Adams	Dusinbery	Keenan	Plank	Smith A R
Adler	Ellis	Kelsey	Platt	Smith J E
Allds	Fish	Landon	Poth	Smith J T
Apgar	Fitzgerald	Leggett	Price	Smith S W
Baker	Fowler	Lewis T D	Prince	Smith W H
Bell	Galbraith	Lynn	Reilley	Stevens
Blackwell	Gardiner R	Mains	Remsen	Sullivan

Brooks	Geoghan	Mathews	Reynolds	Swarts
Bruckner	Griffith	McInerney	Rider	Swift
Burnett	Halpin	McKeown	Roberts	Thorn
Cadin	Hanford	McMillan	Robinson	Treat
Cook	Harburger	Meister	Rodenbeck	Ulmann
Coons	Hasenflug	Nye	Ross	Van Name
Cotton	Hawkins	O'Brien	Ruehl	Waite
Darrison	Hitchcock	O'Connell	Salverds	Walrath
DeGraw	Honeck	Orr	Scanlon	Weber
Dickey	Irwin	Patton	Schneider	Weekes
Dooling	Juengst	Phillips	Seymour	Wilson H

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2328) entitled "An act to empower the county of Westchester to pay to the Westchester County Society for the Prevention of Cruelty to Children an amount not to exceed \$1,000 annually for the purposes for which said society was organized." (Int. No. 1582.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 115 }
 } NOES 00 }

Those who voted in the affirmative, were

Adams	Coughtry	Hammond	Mathews	Ross
Adler	Darrison	Hanford	McInerney	Sanders
Ahern	Davis	Harburger	McKeown	Scanlon
Allds	Delaney	Harris	McQuade	Schneider
Allston	Dempsey	Hasenflug	Meister	Seymour
Apgar	Dickey	Hatch	Morgan	Smith A R
Babcock	Dooling	Hawkins	Nye	Smith J L
Baker	Doughty	Henry	O'Connell	Smith J T
Baum	Dusinbery	Hitchcock	Orr	Smith S W
Bedell	Egan	Honeck	Patton	Smith W H
Bell	Everett	Hyman	Phillips	Stevens
Blackwell	Fancher	Irwin	Phipps	Swarts

Bradley	Fish	Juengst	Ruehl	Swift
Brill	Fitzgerald	Kaiser	Platt	Thorn
Brooks	Fitzpatrick	Keenan	Price	Traub
Bruckner	Fordyce	Kelly	Prince	Treat
Burnett	Frisbie	Kelsey	Rainey	Ulmann
Burns	Galbraith	Landon	Remsen	Van Name
Cadin	Gardiner R	Leggett	Richter	Waite
Conger	Gardner C J	Lewis T D	Rider	Walrath
Cooley	Geoghan	Lynn	Rierdon	Weber
Coons	Griffith	Mains	Robinson	Weekes
Costello	Hallock	Mansfield	Rogers	Wilson H

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2399) entitled "An act to amend section 1785 of the Code of Civil Procedure, in relation to actions to procure a judgment dissolving a corporation, created by or under the laws of the State, and forfeiting its corporate rights, privileges and franchises in certain cases." (Int. No. 1610.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 97 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Daly	Hanford	McInerney	Schneider
Adler	Davis	Harburger	McMillan	Sherer
Ahern	Delaney	Harris	Meister	Smith A R
Allston	Dickey	Hatch	Nye	Smith J L
Axtell	Dickinson	Henry	O'Connell	Smith J T
Babcock	Doughty	Hitchcock	Orr	Smith S W
Baker	Dusinbery	Holsten	Phillips	Smith W H
Bedell	Egan	Honeck	Plank	Snyder
Bell	Everett	Hyman	Poth	Stevens
Bennet	Fancher	Irwin	Prince	Sullivan
Bradley	Fisher	Kaiser	Reilley	Swift

Brooks	Fitzpatrick	Keenan	Remsen	Thorn
Bruckner	Fordyce	Kelly	Richter	Treat
Burnett	Frisbie	Knipp	Rider	Ulmann
Cadin	Galbraith	Landon	Robinson	Vacheron
Conger	Gardner C J	Lewis M E	Rodenbeck	Waite
Cooley	Geoghan	Lewis T D	Ross	Walrath
Coons	Griffith	Mains	Ruehl	Weber
Cotton	Hallock	Marson	Sanders	Wilson H
Coughtry	Hammond			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2445) entitled "An act to expedite requisitions for certifying copies of instruments of record in the office of the register of the county of New York." (Int. No. 1638.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 105 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Darrison	Harris	Meister	Sanders
Adler	DeGraw	Hasenflug	Morgan	Schneider
Ahern	Dempsey	Hatch	O'Brien	Seymour
Allds	Dickinson	Henry	O'Connell	Smith A R
Apgar	Pooling	Hitchcock	O'Malley	Smith J E
Axtell	Duross	Honeck	Orr	Smith J T
Babcock	Egan	Hyman	Patton	Smith S W
Baker	Ellis	Juengst	Phillips	Smith W H
Bedell	Fancher	Kaiser	Phipps	Snyder
Bell	Fish	Keenan	Platt	Stevens
Burnett	Fitzgerald	Kelly	Poth	Sullivan
Bradley	Fitzpatrick	Kelsey	Price	Swift
Brill	Fowler	Landon	Rainey	Thorn
Bruckner	Frisbie	Lewis M E	Reilley	Traub
Burnett	Gardiner R	Lewis T D	Reynolds	Treat
Burns	Geoghan	Mains	Rider	Ulmann

Conger	Griffith	Mansfield	Rierdon	Vacheron
Cooley	Hallock	Mathews	Robinson	Van Name
Costello	Halpin	McInerney	Rodenbeck	Walrath
Cotton	Hanford	McKeown	Ross	Weber
Daly	Harburger	McQuade	Salyerds	Wilson H

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker resumed the chair.

Mr. Speaker announced the special order, being the bill (No. 2458) entitled "An act to amend chapter 249 of the Laws of 1893, entitled 'An act to incorporate the Pythian Home,' in relation to the disposition of the fund." (Int. No. 1192.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{	AYES	93	}
{	NOES	1	}

Those who voted in the affirmative, were

Adams	Darrison	Hasenflug	Orr	Sherer
Adler	DeGraw	Hatch	Phillips	Smith J L
Ahern	Dickey	Hitchcock	Plank	Smith J T
Allston	Dickinson	Honeck	Platt	Smith S W
Apgar	Dooling	Irwin	Price	Snyder
Babcock	Duross	Kaiser	Prince	Stevens
Baker	Dusinbery	Keenan	Reilley	Sullivan
Bedell	Ellis	Kelly	Remsen	Swarts
Bennet	Everett	Knipp	Richter	Thorn
Bradley	Fish	Landon	Rider	Traub
Brill	Fitzgerald	Lewis M E	Rierdon	Treat
Bruckner	Fordyce	Lynn	Robinson	Vacheron
Burnett	Frisbie	Marson	Rodenbeck	Van Name
Burns	Gardiner R	Mathews	Ross	Waite
Conger	Geoghan	McKeown	Ruehl	Walrath
Cooley	Graeff	Meister	Sanders	Weber
Coons	Hallock	Nye	Scanlon	Weekes
Cotton	Hammond	O'Brien	Seymour	Wilson H
Daly	Harburger	O'Malley		

In the negative,

Patton

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2447) entitled "An act to ratify and legalize the franchise and agreement granted and made by and between the common council of the city of Rome, N. Y., and the Rome City Street Railway Company." (Int. No. 1640.)

Said bill having been announced for a third reading,

On motion of Mr. Marson, said bill was laid aside and ordered stricken from the calendar.

Mr. Speaker announced the special order, being the bill (No. 2442) entitled "An act to amend chapter 25 of the Laws of 1870, entitled 'An act to incorporate the city of Rome,' relating to assessors, their duties and powers." (Int. No. 1635.)

Said bill having been announced for a third reading,

On motion of Mr. Marson, said bill was laid aside and ordered stricken from the calendar.

Mr. Speaker announced the special order, being the bill (No. 2369) entitled "An act to amend section 2 of chapter 341 of the Laws of 1895, in relation to the literature fund to be distributed to academic schools." (Int. No. 1598.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 126 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Costello	Frisbie	Kelsey	Robinson
Adler	Cotton	Galbraith	Knipp	Rogers
Ahern	Coughtry	Gardiner R	Landon	Ross
Alds	Daly	Gardner C J	Lewis M E	Ruehl
Allston	Darrison	Geoghan	Lewis T D	Salyerds
Apgar	Davis	Graeff	Lynn	Scanlon
Axtell	DeGraw	Griffith	Mansfield	Scanlon

Babcock	Delaney	Hallock	Mathews	Schneider
Baker	Dempsey	Halpin	McInerney	Seymour
Baum	Dickey	Hammond	McKeown	Sherer
Bedell	Dickinson	Hanford	McQuade	Smith J E
Bell	Dooling	Harburger	Morgan	Smith J L
Bennet	Doughty	Harris	Nye	Smith J T
Blackwell	Duross	Hasenflug	O'Connell	Smith S W
Bradley	Dusinbery	Hatch	Orr	Snyder
Brill	Egan	Hawkins	Patton	Stevens
Brooks	Ellis	Henry	Phipps	Sullivan
Bruckner	Everett	Hitchcock	Plank	Swift
Bryan	Fancher	Holsten	Platt	Thorn
Burnett	Fish	Honeck	Price	Traub
Burns	Fisher	Hyman	Prince	Treat
Cadin	Fitzgerald	Irwin	Reilley	Ulmann
Conger	Fitzpatrick	Kaiser	Remsen	Vacheron
Cook	Fordyce	Keenan	Richter	Van Name
Cooley	Fowler	Kelly	Rierdon	Walrath
Coons				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2439) entitled "An act to provide for the payment and assessment of the cost of certain local improvements in the city of Rensselaer." (Int. No. 1632.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 139 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Darrison	Hammond	McQuade	Sanders
Adler	Davis	Hanford	Meister	Scanlon
Ahern	DeGraw	Harburger	Nye	Schneider
Allds	Delaney	Harris	O'Brien	Seymour
Apgar	Dempsey	Hasenflug	O'Connell	Sherer

Axtell	Dickey	Hatch	O'Malley	Smith A R
Babcock	Dickinson	Hawkins	Orr	Smith J E
Baum	Dooling	Hitchcock	Phillips	Smith J L
Bedell	Doughty	Holsten	Phipps	Smith J T
Bell	Duross	Hyman	Plank	Smith S W
Bennet	Dusinbery	Irwin	Platt	Smith W H
Blackwell	Egan	Juengst	Poth	Snyder
Bradley	Ellis	Kaiser	Price	Stevens
Brill	Everett	Keenan	Prince	Sullivan
Brooks	Fish	Kelly	Rainey	Swarts
Bruckner	Fisher	Kelsey	Reilley	Swift
Bryan	Fitzgerald	Knipp	Remsen	Thorn
Burnett	Fitzpatrick	Landon	Reynolds	Traub
Burns	Fordyce	Leggett	Richter	Treat
Cadin	Fowler	Lewis M E	Rider	Ulmann
Conger	Frisbie	Lewis T D	Rierdon	Vacheron
Cook	Galbraith	Lynn	Roberts	Van Name
Cooley	Gardner C J	Mains	Robinson	Waite
Coons	Geoghan	Mansfield	Rodenbeck	Walrath
Costello	Graeff	Marson	Rogers	Weber
Cotton	Griffith	Mathews	Ross	Weekes
Coughtry	Hallock	McInerney	Ruehl	Wilson H
Daly	Halpin	McMillan	Salyerds	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2402) entitled "An act regulating tolls to be charged by turn-pike, plank road or toll road companies exercising corporate franchises wholly or partly within the county of Onondaga for automobile trucks or carriages drawn or propelled over their carriage roads." (Int. No. 1612.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 90 }
 } NOES 00 }

Those who voted in the affirmative, were

Adams	Cotton	Hammond	McInerney	Sanders
Adler	Daly	Hanford	McMillan	Schneider
Ahern	Davis	Harris	Meister	Seymour
Allds	DeGraw	Hatch	Morgan	Smith A R
Apgar	Delaney	Hawkins	O'Brien	Smith J E
Babcock	Dickey	Hitchcock	O'Malley	Smith J L
Baker	Dooling	Honeck	Patton	Smith S W
Baum	Duross	Irwin	Phillips	Snyder
Bedell	Egan	Juengst	Platt	Stevens
Bell	Everett	Kaiser	Poth	Swarts
Blackwell	Fish	Kelly	Prince	Thorn
Brill	Fitzgerald	Kelsey	Reilley	Treat
Bruckner	Fordyce	Landon	Reynolds	Traub
Burnett	Frisbie	Lewis M E	Rider	Ulmann
Burns	Gardiner R	Lynn	Rierdon	Van Name
Cadin	Gardner C J	Mains	Robinson	Walrath
Cook	Graeff	Mansfield	Rogers	Weber
Cooley	Hallock	Mathews	Ruehl	Weekes

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2446) entitled "An act to amend the proceedings incorporating the Long Island Baptist Association." (Int. No. 1639.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 97 }
 } NOES 00 }

Those who voted in the affirmative, were

Adams	Cooley	Galbraith	Kelsey	Rierdon
Adler	Costello	Gardiner R	Landon	Robinson
Ahern	Coughtry	Gardner C J	Lewis M E	Rogers
Allds	Daly	Graeff	Lewis T D	Ruehl
Allston	Darrison	Griffith	Mansfield	Sanders

Apgar	DeGraw	Hallock	Mathews	Scanlon
Axtell	Delaney	Hammond	McKeown	Seymour
Babcock	Dempsey	Hanford	McMillan	Smith A R
Baker	Dickey	Harburger	Meister	Smith J L
Baum	Dooling	Hasenflug	Nye	Smith J T
Bedell	Doughty	Hawkins	O'Connell	Smith W H
Bell	Dusinbery	Henry	Orr	Stevens
Bennet	Egan	Holsten	Phillips	Swarts
Blackwell	Ellis	Honeck	Plank	Thorn
Bradley	Everett	Hyman	Poth	Treat
Brill	Fish	Juengst	Prince	Vacheron
Bruckner	Fisher	Kaiser	Rainey	Waite
Burnett	Fitzpatrick	Keenan	Remsen	Weber
Cadin	Fordyce	Kelly	Richter	Wilson H
Cook	Fowler			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2280) entitled "An act to legalize the official acts of William L. Riley as justice of the peace of the town of Chazy, county of Clinton." (Int. No. 1558.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{	AYES	95	}
{	NOES	00	}

Those who voted in the affirmative, were

Adams	DeGraw	Harris	Marson	Rodenbeck
Adler	Dempsey	Hasenflug	Mathews	Ross
Allds	Dooling	Hawkins	McInerney	Ruehl
Allston	Duross	Henry	McMillan	Sanders
Apgar	Egan	Holsten	McQuade	Schneider
Axtell	Everett	Honeck	Meister	Sherer
Baker	Fish	Irwin	Morgan	Smith A R
Baum	Fisher	Juengst	O'Brien	Smith J T
Bedell	Fitzpatrick	Kaiser	O'Malley	Smith S W
Bennet	Fordyce	Keenan	Orr	Smith W H

Brill	Fowler	Kelly	Phillips	Snyder
Bruckner	Galbraith	Kelsey	Plank	Sullivan
Burnett	Gardner C J	Knipp	Platt	Swarts
Burns	Geoghan	Landon	Price	Thorn
Conger	Griffith	Leggett	Prince	Treat
Cooley	Hallock	Lewis M E	Reilley	Vacheron
Costello	Halpin	Lynn	Reynolds	Waite
Coughtry	Hammond	Mains	Rider	Weekes
Darrison	Harburger	Mansfield	Roberts	Wilson H

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Allds moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker the Clerk called the roll, when the following members responded:

Adams	Davis	Hasenflug	McQuade	Salyerds
Ahern	Delaney	Hatch	Morgan	Sanders
Allds	Dickinson	Henry	Nye	Scanlon
Allston	Dooling	Hitchcock	O'Connell	Schneider
Babcock	Doughty	Holsten	O'Malley	Seymour
Baker	Dusinbery	Honeck	Orr	Sherer
Baum	Egan	Hyman	Patton	Smith A R
Bedell	Ellis	Irwin	Phipps	Smith J E
Bell	Everett	Kaiser	Plank	Smith J L
Bradley	Fancher	Keenan	Platt	Smith S W
Brill	Fish	Kelly	Poth	Smith W H
Brooks	Fisher	Kelsey	Price	Snyder
Bryan	Fitzgerald	Knipp	Prince	Stevens
Burnett	Fordyce	Landon	Reilley	Sullivan
Burns	Fowler	Leggett	Remsen	Swarts
Cadin	Frisbie	Lewis M E	Reynolds	Swift
Conger	Gardiner R	Lynn	Richter	Thorn
Cook	Geoghan	Mains	Rierdon	Traub
Cooley	Graeff	Mansfield	Robinson	Treat
Coons	Griffith	Marson	Rodenbeck	Ulmann
Cotton	Hammond	Mathews	Rogers	Vacheron
Coughtry	Hanford	McInerney	Ross	Weber
Daly	Harburger	McKeown	Ruehl	Wilson H
Darrison	Harris	McMillan		

118

The Clerk furnished a list of absentees to the Sergeant-at-Arms, who appeared in due time before the bar of the House with Mr.

Hallock, who, upon giving satisfactory explanation for being absent, was excused.

Mr. Allds moved that all further proceedings under the call of the House be suspended.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker announced the special order, being the bill (No. 2341) entitled "An act to amend the Election Law, relative to independent nominations." (Int. No. 62.)

Said bill having been announced for a third reading,

Debate was had thereon, when

Mr. Allds moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 41 }

Those who voted in the affirmative, were

Ahern	Cooley	Fowler	Mains	Rodenbeck
Allds	Coons	Galbraith	Mansfield	Rogers
Allston	Costello	Gardiner R	Marson	Ross
Apgar	Cotton	Graeff	McMillan	Salyerds
Axtell	Coughtry	Griffith	McQuade	Seymour
Babcock	Darrison	Hallock	Morgan	Sherer
Baker	Davis	Hammond	O'Brien	Smith J L
Bedell	Dickinson	Hanford	O'Malley	Smith S W
Bell	Doughty	Harris	Orr	Smith W H
Bennet	Dusinbery	Hatch	Patton	Stevens
Blackwell	Ellis	Hitchcock	Phipps	Thorn
Brill	Everett	Kelsey	Platt	Traub
Bryan	Fancher	Knipp	Price	Vacheron
Burnett	Fish	Landon	Rainey	Waite
Cadin	Fisher	Lewis M E	Reynolds	Walrath
Conger	Fordyce	Lewis T D	Robinson	

Those who voted in the negative, were

Adams	Dooling	Holsten	McKeown	Sanders
Baum	Fitzgerald	Honeck	Meister	Schneider
Bradley	Fitzpatrick	Juengst	O'Connell	Smith J E
Brooks	Frisbie	Kaiser	Poth	Snyder
Bruckner	Geoghan	Kelly	Reilley	Swift
Burns	Halpin	Lynn	Richter	Ulmann
Daly	Harburger	Mathews	Rider	Van Name
Delaney	Hasenflug	McInerney	Rierdon	Wilson H
Dickey				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2423) entitled "An act to exempt from taxation certain lands, premises and property in Franklin county owned by the Sisters of Mercy of the diocese of Ogdensburg." (Int. No. 1621.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 96 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Darrison	Halpin	Marson	Salyerds
Adler	DeGraw	Hanford	McInerney	Scanlon
Allds	Dempsey	Harris	McKeown	Schneider
Allston	Dickey	Hasenflug	McQuade	Seymour
Axtell	Dickinson	Hawkins	Meister	Sherer
Babcock	Doughty	Henry	Nye	Smith J E
Baum	Duross	Hitchcock	O'Connell	Smith J L
Bedell	Egan	Honeck	O'Malley	Smith S W
Bennet	Ellis	Hyman	Patton	Smith W H
Blackwell	Everett	Juengst	Phipps	Snyder
Brill	Fish	Kaiser	Plank	Sullivan
Brooks	Fitzgerald	Keenan	Poth	Swarts
Bryan	Fordyce	Kelly	Prince	Traub
Burns	Fowler	Kelsey	Reilley	Treat
Conger	Galbraith	Landon	Reynolds	Vacheron

Cook	Gardiner R	Lewis M E	Rider	Van Name
Cooley	Geoghan	Lewis T D	Roberts	Walrath
Costello	Graeff	Mains	Rodenbeck	Weber
Coughtry	Hallock	Mansfield	Ross	Weekes
Daly				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2454) entitled "An act in relation to the Fallsburgh and Monticello Railroad Co." (Int. No. 1459.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 97 }
{ NOES 1 }

Those who voted in the affirmative, were

Adams	Coughtry	Harburger	McKeown	Scanlon
Adler	Daly	Hasenflug	McQuade	Seymour
Ahern	Davis	Hatch	Meister	Sherer
Allds	Delaney	Henry	Morgan	Smith J E
Apgar	Dickey	Hitchcock	O'Brien	Smith J L
Babcock	Dooling	Honeck	O'Connell	Smith S W
Baker	Doughty	Juengst	Orr	Smith W H
Baum	Duross	Kaiser	Phillips	Stevens
Bedell	Egan	Keenan	Phipps	Sullivan
Bell	Ellis	Kelly	Platt	Swarts
Blackwell	Fancher	Kelsey	Price	Thorn
Bradley	Fisher	Knipp	Rainey	Traub
Brooks	Fitzpatrick	Leggett	Reynolds	Treat
Bruckner	Fowler	Lewis M E	Rider	Vacheron
Burnett	Galbraith	Lewis T D	Roberts	Van Name
Burns	Gardner C J	Lynn	Rodenbeck	Waite
Cadin	Graeff	Mansfield	Ross	Weber
Conger	Griffith	Mathews	Salyerds	Weekes
Cooley	Halpin	McInerney	Sanders	Wilson H
Costello	Hammond			

In the negative,

Dusinbery

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2359) entitled "An act to amend section 131 of article 6 of the Tax Law, being chapter 24 of the general laws, as amended by chapter 339 of the Laws of 1898." (Int. No. 1588.)

Said bill having been announced for a third reading,

On motion of Mr. M. E. Lewis, said bill was laid aside and ordered stricken from the calendar.

Mr. Speaker announced the special order, being the bill (No. 1543) entitled "An act to amend the Real Property Law, relating to the descent of real property." (Int. No. 637.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 82 }
{ NOES 20 }

Those who voted in the affirmative, were

Bedell	Dickinson	Holsten	Phipps	Sanders
Bell	Dooling	Honeck	Plank	Scanlon
Bennet	Doughty	Hyman	Poth	Schneider
Blackwell	Ellis	Irwin	Price	Seymour
Bradley	Fitzgerald	Juengst	Prince	Sherer
Brooks	Fordyce	Kaiser	Rainey	Smith A R
Bruckner	Fowler	Landon	Reilley	Smith J T
Burnett	Frisbie	Leggett	Remsen	Smith W H
Burns	Galbraith	Lynn	Richter	Swift
Cadin	Gardiner R	Mathews	Rider	Thorn
Cook	Geoghan	McInerney	Rierdon	Traub
Cooley	Graeff	McMillan	Robinson	Ulmann
Cotton	Griffith	McQuade	Rodenbeck	Vacheron
Daly	Hallock	Morgan	Rogers	Van Name
Darrison	Harburger	O'Malley	Ruehl	Waite
Davis	Hasenflug	Patton	Salyerds	Wilson H
Delaney	Henry			

Those who voted in the negative, were

Adams	Axtell	Coughtry	Knipp	Snyder
Ahern	Babcock	Harris	Lewis T D	Swarts
Allds	Conger	Hitchcock	Nye	Treat
Allston	Coons	Kelsey	Ross	Walrath

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the Senate bill (No. 1065) entitled "An act for the promotion of agriculture, and making an appropriation for the State fair." (Rec. No. 288.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 95 }
 { NOES 16 }

Those who voted in the affirmative, were

Adams	Coughtry	Hallock	Mansfield	Rodenbeck
Ahern	Darrison	Hammond	Marson	Rogers
Allds	Dempsey	Hanford	Mathews	Ross
Allston	Dickey	Harris	McKeown	Ruehl
Apgar	Dickinson	Hatch	McQuade	Salyerds
Axtell	Doughty	Hawkins	Morgan	Sanders
Babcock	Dusinbery	Henry	O'Brien	Sherer
Baker	Egan	Hitchcock	O'Connell	Smith A R
Bedell	Ellis	Irwin	O'Malley	Smith S W
Bell	Everett	Juengst	Orr	Smith W H
Bradley	Fancher	Kaiser	Patton	Snyder
Bryan	Fish	Kelly	Phillips	Swift
Burnett	Fisher	Knipp	Platt	Traub
Cadin	Fordyce	Landon	Price	Treat
Conger	Fowler	Leggett	Prince	Vacheron
Cooley	Frisbie	Lewis M E	Rainey	Waite
Coons	Gardiner R	Lewis T D	Remsen	Walrath
Costello	Graeff	Lynn	Rierdon	Weber
Cotton	Griffith	Mains	Robinson	Wilson H

Those who voted in the negative, were

Brill	Davis	McInerney	Reynolds	Thorn
Brooks	Holsten	Nye	Schneider	Ulmann
Cook	Kelsey	Plank	Swarts	Van Name
Daly				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Stevens called up the Senate bill (No. 1349) entitled "An act to amend the Town and Elections Laws, relative to propositions for raising money for town purposes" (Rec. No. 395), and moved to take from the table the motion to reconsider the vote by which said bill was lost.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was lost, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 102 }
 { NOES 00 }

Those who voted in the affirmative, were

Adams	Delaney	Hanford	Morgan	Schneider
Ahern	Dempsey	Harburger	O'Brien	Seymour
Allds	Dickey	Hasenflug	O'Connell	Smith A R
Allston	Dooling	Hawkins	Orr	Smith J E
Apgar	Doughty	Henry	Phillips	Smith J L
Axtell	Duross	Holsten	Plank	Smith S W
Baker	Egan	Hyman	Platt	Smith W H
Baum	Ellis	Juengst	Price	Stevens
Bell	Everett	Kaiser	Rainey	Sullivan
Bennet	Fancher	Keenan	Remsen	Swarts
Bradley	Fisher	Kelly	Reynolds	Swift
Brooks	Fitzgerald	Knipp	Rider	Traub
Bryan	Fowler	Leggett	Rierdon	Treat
Burns	Frisbie	Lewis T D	Roberts	Ulmann
Cadin	Galbraith	Lynn	Robinson	Vacheron
Cook	Gardner C J	Mains	Rodenbeck	Van Name

Coons	Geoghan	Marson	Ross	Walrath
Costello	Graeff	McInerney	Ruehl	Weber
Coughtry	Griffith	McMillan	Salyerds	Weekes
Daly	Hallock	McQuade	Sanders	Wilson H
Davis	Hammond			

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 105 }
{ NOES 43 }

Those who voted in the affirmative, were

Adams	Coons	Graeff	Morgan	Schneider
Adler	Costello	Griffith	Nye	Seymour
Ahern	Cotton	Hallock	O'Brien	Sherer
Allds	Coughtry	Hammond	O'Malley	Smith A R
Allston	Darrison	Hanford	Orr	Smith J L
Apgar	Davis	Harris	Patton	Smith J T
Axtell	DeGraw	Hatch	Phillips	Smith S W
Babcock	Dickinson	Henry	Phipps	Smith W H
Baker	Doughty	Hitchcock	Plank	Snyder
Bedell	Dusinbery	Irwin	Platt	Stevens
Bell	Ellis	Kelsey	Price	Swarts
Burnett	Everett	Knipp	Rainey	Swift
Blackwell	Fancher	Landon	Remsen	Thorn
Brill	Fish	Leggett	Reynolds	Traub
Brooks	Fisher	Lewis M E	Roberts	Treat
Bryan	Fordyce	Lewis T D	Robinson	Vacheron
Burnett	Fowler	Mains	Rodenbeck	Waite
Cadin	Frisbie	Mansfield	Rogers	Walrath
Conger	Galbraith	Marson	Ross	Weber
Cook	Gardiner R	McMillan	Ruehl	Weekes
Cooley	Gardner C J	McQuade	Salyerds	Wilson H

Those who voted in the negative, were

Baum	Duross	Holsten	McInerney	Rider
Bradley	Egan	Honeck	McKeown	Rierdon
Bruckner	Fitzgerald	Hyman	Meister	Sanders
Burns	Fitzpatrick	Juengst	O'Connell	Scanlon

Daly	Geoghan	Kaiser	Poth	Smith J E
Delaney	Halpin	Keenan	Prince	Sullivan
Dempsey	Harburger	Kelly	Reilley	Ulmann
Dickey	Hasenflug	Lynn	Richter	Van Name
Dooling	Hawkins	Mathews		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Apgar moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded:

Adams	Daly	Harris	McQuade	Salyerds
Ahern	Darrison	Hasenflug	Meister	Sanders
Allds	Davis	Hatch	Nye	Scanlon
Allston	Delaney	Hawkins	O'Brien	Schneider
Apgar	Dickey	Henry	O'Connell	Seymour
Axtell	Dickinson	Hitchcock	O'Malley	Sherer
Babcock	Doughty	Holsten	Orr	Smith A R
Baker	Dusinbery	Honeck	Patton	Smith J E
Baum	Egan	Hyman	Phillips	Smith J L
Bedell	Ellis	Irwin	Phipps	Smith J T
Bell	Everett	Juengst	Plank	Smith S W
B'ackwell	Fancher	Kaiser	Platt	Smith W H
Bradley	Fish	Keenan	Poth	Snyder
Brill	Fisher	Kelly	Price	Stevens
Brooks	Fitzgerald	Kelsey	Prince	Sullivan
Bruckner	Fordyce	Knipp	Rainey	Swarts
Bryan	Fowler	Landon	Reilley	Swift
Burnett	Frisbie	Leggett	Remsen	Thorn
Burns	Gardiner R	Lewis M E	Reynolds	Traub
Cadin	Geoghan	Lewis T D	Richter	Treat
Conger	Graeff	Lynn	Rider	Ulmann
Cook	Griffith	Mansfield	Rierdon	Vacheron
Cooley	Hallock	Marson	Robinson	Van Name
Coons	Halpin	Mathews	Rodenbeck	Waite
Costello	Hammond	McInerney	Rogers	Walrath
Cotton	Hanford	McKeown	Ross	Weber
Coughtry	Harburger	McMillan	Ruehl	Wilson H 135

Mr. Apgar moved that all further proceedings under the call of the House be suspended.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Everett called up the bill (No. 1273) entitled "An act to amend the Railroad Law, in relation to tickets" (Int. No. 1036), and moved to take from the table the motion to consider the vote by which said bill was lost.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was lost, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 104 }
 { NOES 00 }

Those who voted in the affirmative, were

Adams	Darrison	Henry	Nye	Scanlon
Adler	Davis	Holsten	O'Connell	Schneider
Allds	Delaney	Honeck	O'Malley	Seymour
Apgar	Dempsey	Hyman	Patton	Sherer
Babcock	Dickey	Irwin	Phillips	Smith J E
Baker	Dickinson	Kaiser	Plank	Smith J L
Bedell	Doughty	Keenan	Platt	Smith J T
Bell	Dusinbery	Kelly	Price	Smith S W
Bennet	Ellis	Kelsey	Prince	Snyder
Blackwell	Fisher	Landon	Rainey	Stevens
Bradley	Fitzgerald	Leggett	Remsen	Sullivan
Brooks	Fordyce	Lewis T D	Reynolds	Swift
Bruckner	Galbraith	Lynn	Richter	Thorn
Bryan	Gardner C J	Mains	Rider	Traub
Burns	Graeff	Mansfield	Rierdon	Ulmann
Cadin	Hallock	Marson	Robinson	Vacheron
Conger	Halpin	Mathews	Rodenbeck	Van Name
Cooley	Hanford	McInerney	Rogers	Weber
Coons	Harris	McMillan	Ruehl	Weekes
Cotton	Hasenflug	Meister	Salyerds	Wilson H
Coughtry	Hawkins	Morgan	Sanders	

Mr. Apgar moved the previous question on the final passage of said bill.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 82 }
{ NOES 52 }

Those who voted in the affirmative, were

Adams	Cotton	Holsten	O'Connell	Sanders
Apgar	Coughtry	Honeck	O'Malley	Scanlon
Axtell	Delaney	Irwin	Orr	Schneider
Babcock	Doughty	Juengst	Plank	Smith J E
Baker	Egan	Kelly	Poth	Smith J T
Baum	Everett	Lewis M E	Prince	Smith S W
Bedell	Fancher	Lewis T D	Rainey	Smith W H
Bradley	Fordyce	Mains	Reilley	Snyder
Brill	Gardiner R	Mansfield	Remsen	Sullivan
Brooks	Geoghan	Mathews	Richter	Swarts
Bryan	Graeff	McInerney	Rider	Swift
Burns	Hallock	McKeown	Rierdon	Thorn
Conger	Hanford	McMillan	Robinson	Vacheron
Cook	Harris	McQuade	Ross	Waite
Cooley	Hasenflug	Meister	Ruehl	Weber
Coons	Hawkins	O'Brien	Salyerds	Wilson H
Costello	Hitchcock			

Those who voted in the negative, were

Ahern	Dickinson	Henry	Morgan	Seymour
Allds	Dooling	Hyman	Nye	Sherer
Bell	Dusinbery	Kaiser	Patton	Smith A R
Blackwell	Fish	Keenan	Phillips	Smith J L
Bruckner	Fisher	Kelsey	Phipps	Stevens
Burnett	Fitzgerald	Knipp	Platt	Traub
Cadin	Fowler	Landon	Price	Treat
Daly	Halpin	Leggett	Reynolds	Ulmann
Darrison	Hammond	Lynn	Rodenbeck	Van Name
Davis	Harburger	Marson	Rogers	Walrath
Dickey	Hatch			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Landon offered for the consideration of the House a resolution in the words following:

Resolved, That the committee on codes be discharged from the further consideration of the Senate bill (No. 1434) entitled "An act to amend section 56 of the Code of Criminal Procedure, relating to jurisdiction of courts of Special Sessions" (Rec. No. 423), and that said bill be placed on the order of second reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

On motion of Mr. Landon, and by unanimous consent, said bill was read the second time and ordered to a third reading.

On motion of Mr. Landon, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 100 }
 { NOES 00 }

Those who voted in the affirmative, were

Adams	Davis	Halpin	McMillan	Salyerds
Adler	DeGraw	Hanford	McQuade	Scanlon
Ahern	Delaney	Harburger	Morgan	Schneider
Allston	Dickey	Hasenflug	Nye	Sherer
Apgar	Dickinson	Hawkins	O'Connell	Smith J E
Axtell	Dooling	Hitchcock	O'Malley	Smith J L
Baum	Duross	Honeck	Patton	Smith J T
Bennet	Dusinbery	Hyman	Phillips	Smith W H
Bradley	Ellis	Juengst	Plank	Stevens
Brill	Everett	Kaiser	Platt	Sullivan
Bruckner	Fish	Keenan	Poth	Swarts
Bryan	Fisher	Kelly	Prince	Thorn
Burns	Fitzgerald	Kelsey	Rainey	Traub
Cadin	Fitzpatrick	Landon	Remsen	Ulmann
Cook	Fowler	Leggett	Reynolds	Vacheron

Coons	Galbraith	Lewis M E	Rider	Van Name
Costello	Gardiner R	Lynn	Rierdon	Walrath
Cotton	Geoghan	Mansfield	Robinson	Weber
Coughtry	Graeff	Marson	Rogers	Weekes
Darrison	Hallock	McInerney	Ross	Wilson H

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Rider offered for the consideration of the House a resolution in the words following:

Resolved, That the committee on public education be discharged from the further consideration of the Senate bill (No. 1240) entitled "An act authorizing the board of education of Union Free School District No. 1, of the town of Catskill, county of Greene, N. Y., to enter into an agreement in regard to the care and maintenance of a public library on lands owned by the Catskill Public library in said union free school district" (Rec. No. 358), and that said bill be placed on the order of second reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

On motion of Mr. Rider, and by unanimous consent, said bill was read the second time and ordered to a third reading.

On motion of Mr. Rider, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 90 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Coons	Hammond	McMillan	Snyder
Adler	Cotton	Hanford	McQuade	Sherer
Allds	Daly	Harris	Morgan	Smith A R
Allston	Davis	Hatch	O'Brien	Smith J E
Axtell	Delaney	Hawkins	O'Malley	Smith S W

Babcock	Dickey	Henry	Orr	Smith W H
Baker	Doughty	Honeck	Phipps	Stevens
Baum	Duross	Irwin	Poth	Sullivan
Bedell	Dusinbery	Juengst	Price	Swift
Bennet	Ellis	Keenan	Rainey	Thorn
Blackwell	Fancher	Kelly	Remsen	Traub
Bradley	Fitzgerald	Knipp	Rider	Treat
Brooks	Fitzpatrick	Leggett	Roberts	Vacheron
Bryan	Fowler	Lewis T D	Rodenbeck	Van Name
Burnett	Gardiner R	Lynn	Rogers	Waite
Cadin	Gardner C J	Mains	Ruehl	Weber
Conger	Geoghan	Mansfield	Sanders	Weekes
Cook	Griffith	Mathews	Seymour	Wilson H

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Privileges of the floor was granted to the Honorable Frank J. Enz, a former member of the Assembly.

The Senate returned the following entitled Senate bills, with a message that they have concurred in the amendments of the Assembly made thereto:

"An act to amend section 217 of chapter 20 of the Laws of 1900, known as the Forest, Fish and Game Law." (No. 1084, Assembly reprint No. 2409, Rec. No. 275.)

"An act to amend chapter 369 of the Laws of 1900, entitled 'An act to establish the New York State Hospital for the Care of Crippled and Deformed Children,' as amended by chapter 38 of the Laws of 1901, relative to estimates for hospital expenses." (No. 1053, Assembly reprint No. 2314, Rec. No. 295.)

"An to amend the Penal Code, relating to the sentencing of convicts to State prisons." (No. 982, Assembly reprint No. 2414, Rec. No. 255.)

"An act to classify and grade, and to establish rates of compensation for clerks and other employes in the service of the State." (No. 631, Assembly reprint No. 2313, Rec. No. 119.)

Ordered, That the Clerk return said bills to the Senate.

The Senate returned the following entitled bills, with a message that they have concurred in the passage of the same without amendment:

“An act to confirm in and to George W. Kenyon prior grants of certain land under the waters of New York bay in the county of Kings made by the people of the State of New York, and to release to him the title and interest, if any, now remaining in the people of the State of New York in and to said land.” (No. 1023, Int. No. 873.)

Ordered, That the Clerk deliver said bill to the Governor.

“An act in relation to unpaid taxes, water rates and rents, and tax sales in that part of the city of New York constituting the city of Long Island City prior to January 1, 1898, and the towns of Newtown, Flushing Jamaica, and part of Hempstead, now within the boundaries of the city of New York, and to legalize the payment of taxes, and redemption from tax sales heretofore made, under chapter 635 of the Laws of 1899.” (No. 1742, Int. No. 632.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

The Senate returned the following entitled bills, with a message that they have reconsidered their vote by which said bill passed, and as amended have again passed the same:

“An act to amend chapter 53 of the Laws of 1879, entitled ‘An act to revise the charter of the city of Auburn,’ in relation to the amount of money to be raised for police purposes and in relation to water used for city purposes.” (No. 2431, Int. No. 975.)

Ordered, That the Clerk transmit a duly certified copy of said bill to the mayor of the city of Auburn.

“An act to amend the Forest, Fish and Game Law, in relation to quail in Cayuga, Wyoming, Niagara, Monroe, Saratoga, Cattaraugus, Chautauqua and Erie counties.” (No. 2413, Int. No. 509.)

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Conrad Diehl, mayor of the city of Buffalo, returning Assembly bill (No. 1809), entitled “An act to exempt from taxation certain property of the city of Buffalo situated in the town of West Seneca, Erie county, New York” (Int. No. 674), with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. James H. Blessing, mayor of the city of Albany, returning Assembly bill (No. 2159), entitled "An act to amend chapter 298 of the Laws of 1883, entitled 'An act to provide for the government of the city of Albany' as amended by chapter 286 of the Laws of 1891 in relation to buildings in said city" (Int. No. 541), with a message that said mayor, and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

Mr. Phipps offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly, of Assembly bill (No. 2040) entitled "An act making an appropriation for the Western House of Refuge for Women" (Int. No. 1103), for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

The Senate returned the concurrent resolution recalling from the Governor, for the purpose of amendment, Assembly bill (No. 2040) entitled "An act making an appropriation for the Western House of Refuge for Women" (Int. No. 1103), with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

Mr. Patton offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill (No. 26) entitled "An act authorizing the construction of a steel bridge and abutments and approaches thereto over the canal slip from the Erie canal to the Niagara river on North Niagara street, in the village of Tonawanda, Erie county, New York, together with the adjacent canal retaining walls and making an appropriation therefor" (Int. No. 26), for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, Assembly bill (No. 26) entitled "An act authorizing the construction of a steel bridge and abutments and approaches thereto over the canal slip from the Erie canal to the Niagara river on North Niagara street, in the village of Tonawanda, Erie county, New York, together with the adjacent canal retaining walls and making an appropriation therefor" (Int. No. 26), with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

Mr. Walrath offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly, of Assembly bill (No. 1410) entitled "An act providing for the construction of a steel bridge over the Otsquago creek on State lands adjacent to the Erie canal aqueduct No. 11, in the town of Minden, Montgomery county, and the necessary repairs to the existing abutments and approaches thereto, and making an appropriation therefor" (Int. No. 413), for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

The Senate returned the concurrent resolution recalling from the Governor, for the purpose of amendment, Assembly bill (No. 1410) entitled "An act for the construction of a steel bridge over the Otsquago creek on State lands adjacent to the Erie canal aqueduct No. 11, in the town of Minden, Montgomery county, and the necessary repairs to the existing abutments and approaches thereto, and making an appropriation therefor" (Int. No. 413), with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

Mr. Bryan offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly, of Assembly bill (No. 1510) entitled "An act to amend chapter 322 of the Laws of 1850, entitled 'An act to incorporate the fire department of the village of Watertown,' in relation to the officers of the department, the powers of the directors, and changing the name thereof" (Int. No. 1172), for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, Assembly bill (No. 1510) entitled "An act to amend chapter 322 of the Laws of 1850, entitled 'An act to incorporate the fire department of the village of Watertown,' in relation to the officers of the department, the powers of the directors, and changing the name thereof" (Int. No. 1172), with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

Mr. Hitchcock offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor requesting the return to the Assembly, of Assembly bill (No. 732) entitled "An act providing for the construction of a new street bridge across the Glens Falls feeder in the town of Queensbury, Warren county, and for the repair of the existing abutments and the approaches thereto, and making an appropriation therefor" (Int. No. 656), for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

The Senate returned the concurrent resolution recalling from the Governor, for the purpose of amendment, Assembly bill (No. 732) entitled "An act providing for the construction of a new steel bridge across the Glens Falls feeder in the town of Queensbury, Warren county, and for the repair of the existing abutments

and the approaches thereto, and making an appropriation therefor " (Int. No. 656), with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

On request of Mr. Weekes, the bill (No. 1448) entitled "An act to prevent adulteration of and deception in the sale of drugs, chemicals and other substances " (Int. No. 955), was referred to the committee on rules for the purpose of making said bill a special order on third reading.

On request of Mr. Geoghan, the bill (No. 2386) entitled "An act concerning the settlement and collection of arrearages of unpaid taxes of the county of Erie, and imposing and levying taxes in lieu and instead of such arrearages, and to enforce the payment thereof by sales of land " (Int. No. 1543), was referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

On request of Mr. Fowler, the bill (No. 2480) entitled "An act to amend chapter 339 of the Laws of 1884, relative to navigation on Chautauqua lake " (Int. No. 1613), was referred to the committee on rules for the purpose of making said bill a special order on third reading.

On request of Mr. Vacheron, the bill (No. 2518) entitled "An act to make the office of sheriff of the county of Queens a salaried office and regulating the management of said office " (Int. No. 872), was referred to the committee on rules for the purpose of making said bill a special order on third reading.

On request of Mr. Nye, the bill (No. 378) entitled "An act to authorize the commissioners of Watkins Glen reservation to purchase certain lands in the town of Dix, in the county of Schuyler, for a State park or reservation, and making an appropriation therefor " (Int. No. 363), was referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

On request of Mr. Fowler, the bill (No. 2433) entitled "An act to amend the Tax Law in regard to the assessment of real property in two or more tax districts " (Int. No. 1354), was referred to the committee on rules for the purpose of making said bill a special order on third reading.

On request of Mr. Bedell, the bill (No. 2515) entitled "An act

authorizing the superintendent of public works to improve the channel of the stream in the towns of Goshen and Wawayanda in Orange county, known as the Wallkill river, and making an appropriation therefor" (Int. No. 1374), was referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

On request of Mr. Fowler, the bill (No. 2270) entitled "An act making an appropriation for the drainage of the Conewango creek, in the county of Chautauqua" (Int. No. 1548), was referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

On request of Mr. Fish, the bill (No. 2058) entitled "An act to provide for construction of a stone arch over the Canastota creek over the mouth of the State sewer emptying into said creek near the northerly side of Chappel street in the village of Canastota, and making an appropriation therefor" (Int. No. 1453), was referred to the committee on rules for the purpose of making said bill a special order on third reading.

On request of Mr. Bedell, the Senate bill (No. 1470) entitled "An act to further amend the act entitled 'An act to incorporate the United States Mortgage Company,' passed May 12, 1871, relative to the offices of the said company (now named United States Mortgage and Trust Company)" (Rec. No. 441), was referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

On request of Mr. Allds, the Senate bill (No. 1480) entitled "An act to amend the State Finance Law, relating to payments to the State Treasurer by State officers, employes, boards, departments or commissions" (Rec. No. 446), was referred to the committee on rules, for the purpose of making said bill a special order on third reading.

On request of Mr. M. E. Lewis, the bill (No. 2532) entitled "An act to amend section 131 of article 6 of the the Tax Law, being chapter 24 of the general laws, as amended by chapter 339 of the Laws of 1898" (Int. No. 1588), was referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

On request of Mr. Hallock, the bill (No. 2484) entitled "An act to amend chapter 677 of the Laws of 1892, entitled 'the statutory

Construction Law' ” (Rec. No. 349), was referred to the committee on rules for the purpose of making said bill a special order on second reading.

On request of Mr. Roberts, the bill (No. 2540) entitled “An act to amend chapter 428 of the Laws of 1900, entitled ‘An act supplemental to chapter 469 of the Laws of 1892’ entitled ‘An act to restore to the owners of water power on Black river the water diverted by the State for canal purposes’ and making an appropriation therefor ” (Rec. No. 1225), was referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

On request of Mr. De Graw, the bill (No. 2365) entitled “An act to provide for the payment of the claim of the Eureka Fire Hose Company for furnishing fire hose to the village of Far Rockaway” (Int. No. 1594), was referred to the committee on rules for the purpose of making said bill a special order on third reading.

On request of Mr. Apgar, the Senate bill (No. 1305) entitled “An act entitled An act to amend chapter 182 of the Laws of 1892, entitled ‘An act to incorporate the city of Mount Vernon ’ ” (Rec. No. 577), was referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

On request of Mr. Hill, the Senate bill (No. 625) entitled “An act to reappropriate money for the construction of a swing bridge over Black Rock harbor at Ferry street, in the city of Buffalo and to make an additional appropriation therefor ” (Rec. No. 515), was referred to the committee on rules for the purpose of making said bill a special order on third reading.

On request of Mr. Conger, the Senate bill (No. 338) entitled “An act to amend chapter 212 of the Laws of 1888, being the charter of the city of Ithaca, and providing for the adoption of a sanitary code in and for said city, and providing for the punishment of violations thereof in said city ” (Rec. No. 436), was referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

On request of Mr. Ulmann, the Senate bill (No. 1280) entitled “An act to incorporate St. Rose’s settlement of the Catholic Social Union ” (Rec. No. 911), was referred to the committee on rules for the purpose of making said bill a special order on third reading.

On request of Mr. McKeown, the Senate bill (No. 1439) entitled "An act ratifying the laying out and construction of Pelham avenue, from Webster avenue to Southern boulevard in the borough of the Bronx in the city of New York, and authorizing persons assessed for said work to apply to the Supreme Court, first department, for relief from the assessment laid therefor" (Rec. No. 428), was referred to the committee on rules for the purpose of making said bill a special order on third reading.

On request of Mr. Rogers, the Senate bill (No. 1389) entitled "An act to amend chapter 214 of the Laws of 1888, entitled 'An act to revise the charter of the city of Binghamton,' relative to school buildings" (Rec. No. 412), was referred to the committee on rules for the purpose of making said bill a special order on third reading.

On request of Mr. Weekes, the Senate bill (No. 1144) entitled "An act to amend section 394 of the Penal Code" (Rec. No. 416), was referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

On request of Mr. O'Brien, the Senate bill (No. 1119) entitled "An act authorizing the selection of certain lands in the town of Ausable, Clinton county, and the town of Chesterfield, Essex county, known as the 'Ausable chasm,' with a view of acquiring the same for a State park, preserving the scenery thereof, and making it a place of public resort and pleasure" (Rec. No. 384), was referred to the committee on rules for the purpose of making said bill a special order on third reading.

On request of Mr. Ruehl, the Senate bill (No. 525) entitled "An act to amend chapter 330 of the Laws of 1889, entitled 'An act requiring the county clerks of each of the counties of this State to keep a register of the moneys directed by the judgments, decrees and orders of the court to be deposited with the county treasurer of his county,' in relation to the duties of the county clerks of New York, Queens and Richmond counties in keeping a register of moneys deposited or ordered to be deposited with the chamberlain" (Rec. No. 419), was referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

On request of Mr. Reilley, the Senate bill (No. 1268) entitled "An act to provide for the payment of the claim of M. A. Dia-

mond, executrix of the estate of John Diamond deceased, for labor and material furnished in grammar school No. 76 in the Nineteenth ward of the city of New York" (Rec. No. 354), was referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

On request of Mr. McQuade, the Senate bill (No. 337) entitled "An act to incorporate the Utica Corn Hill Benefit Association of the city of Utica" (Rec. No. 385), was referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

On request of Mr. McQuade, the Senate bill (No. 459) entitled "An act in relation to furnishing free text books to the pupils of the common schools of the city of Utica, at the expense of said city" (Rec. No. 418), was referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

On request of Mr. Bedell, the Senate bill (No. 1208) entitled "An act to amend section 21 of the Railroad Law, and relative to the powers of electric light and power corporation" (Rec. No. 331), was referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

On request of Mr. Wilson, the Senate bill (No. 1404) entitled "An act to define the rights of persons and corporations engaged in the business of storing personal chattels, and to regulate the said business" (Int. No. 432), was referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

On request of Mr. McQuade, the Senate bill (No. 457) entitled "An act to amend chapter 189 of the Laws of 1900, entitled 'An act to authorize the city of Utica to borrow money for bridges and their approaches and to issue bonds therefor,' in relation to bridges over new channel of Mohawk river, etc." (Rec. No. 211), was referred to the committee on rules for the purpose of making said bill a special order for second and third reading.

On request of Mr. McQuade, the Senate bill (No. 458) entitled "An act to amend chapter 93 of the Laws of 1891, entitled 'An act to authorize the city of Utica to borrow money by the issue of bonds, to provide for their redemption and to appoint commissioners for changing the channel of the Mohawk river

between said city and the town of Deerfield in Oneida county' in relation to the title to the channel of said river" (Rec. No. 202), was referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

On request of Mr. McQuade, the Senate bill (No. 282) entitled "An act to amend the Public Health Law, relating to local boards of health" (Rec. No. 140), was referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

On request of Mr. Patton, the Senate bill (No. 1416) entitled "An act in relation to the powers of the Board of Supervisors of Erie county" (Int. No. 934), was referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

On request of Mr. Bedell, the Senate bill (No. 1433) entitled "An act to amend section 87 of the Forest, Fish and Game Law, in relation of fishing in Orange county" (Int. No. 449), was referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

On request of Mr. Babcock, the Senate bill (No. 1164) entitled "An act to amend section 661 of the Code of Criminal Procedure in reference to the criminal insane confined in an asylum" (Rec. No. 316), was referred to the committee on rules for the purpose of making the said bill a special order on third reading.

On request of Mr. Babcock, the Senate bill (No. 882) entitled "An act to amend the Public Health Law, relative to the practice of pharmacy in State institutions" (Rec. No. 260), was referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

On request of Mr. Bedell, the Senate bill (No. 1406) entitled "An act to amend section 93 of the Railroad Law in relation to consents and percentages" (Rec. No. 435), was referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

On request of Mr. Bedell, the Senate bill (No. 963) entitled "An act to amend section 5 of the Railroad Law, in relation to forfeiture of corporate existence" (Rec. No. 398), was referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

On request of Mr. S. W. Smith, the Senate bill (No. 1345) entitled "An act to amend chapter 52 of the Laws of 1893, entitled 'An act to make the office of county clerk of Columbia county a salaried office, and regulating the management of said office,' in relation to assistants" (Rec. No. 371), was referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

On request of Mr. Sullivan, the Senate bill (No. 1039) entitled "An act authorizing the board of estimate and apportionment of the city of New York to take proof of the claim of the Woodside Water Company for compensation for water furnished to Long Island City, and to audit and allow such claim and to provide for the payment thereof" (Rec. No. 335), was referred to the committee on rules for the purpose of making said bill a special order on third reading.

On request of Mr. Sullivan, the Senate bill (No. 979) entitled "An act making an appropriation for the State Industrial School" (Rec. No. 203), was referred to the committee on rules for the purpose of making said bill a special order on third reading.

On request of Mr. M. E. Lewis, the Senate bill (No. 1421) entitled "An act to amend chapter 115 of the Laws of 1898, entitled 'An act to provide for the improvement of the public highways,' relative to the maintenance of highways, as amended by chapter 293 of the Laws of 1900 and chapter 109 of the Laws of 1901" (Rec. No. 425), was referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

On request of Mr. Axtell, the bill (No. 2190) entitled "An act to amend the Forest, Fish and Game Law, relating to actions for fires" (Int. No. 1512), was referred to the committee on rules for the purpose of making said bill a special order on third reading.

On request of Mr. Bedell, the Senate bill (No. 1453) entitled "An act to amend chapter 740 of the Laws of 1896, entitled 'An act to amend the charter of the Hebrew Benevolent and Orphan Asylum Society of the city of New York, and to authorize its appointment as general guardian of the person and property of infants under its care and control'" (Rec. No. 426), was referred

to the committee on rules for the purpose of making said bill a special order on second and third reading.

On request of Mr. Doughty the bill (No. 1429) entitled "An act to amend section 279 of chapter 378 of the Laws of 1897, relative to police force" (Int. No. 1121), was referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

On request of Mr. Apgar, the Senate bill (No. 1305) entitled "An act entitled An act to amend chapter 182 of the Laws of 1892, entitled 'An act to incorporate the city of Mt. Vernon'" (Rec. No. 382), was referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

On request of Mr. Allds, the bill (No. 2190) entitled "An act to amend the Forest, Fish and Game Law, relating to actions for fires" (Int. No. 1512), was referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

On request of Mr. Griffith, the bill (No. 1888) entitled "An act authorizing the construction of a new steel bridge over the Erie canal at Water street, in the village of Lyons, Wayne county, New York, and abutments and approaches thereto, and making an appropriation therefor" (Int. No. 1353), was referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

On request of Mr. Fowler, the bill (No. 2422) entitled "An act to amend chapter 466 of the Laws of 1866, entitled 'An act in regard to normal schools,' in relation to officers of local boards and their compensation" (Int. No. 1620), was referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

On request of Mr. Mansfield, the bill (No. 490) entitled "An act making an appropriation for the construction of a new steel bridge over the Champlain canal, at Fulton street, in the town of Waterford, N. Y." (Int. No. 457), was referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

On request of Mr. Platt, the bill (No. 1218) entitled "An act to provide for dredging and deepening the channel of the Con-

hocton river and building a dyke along said river in the village of Painted Post, and making an appropriation therefor" (Int. No. 1003), was referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

On request of Mr. Knipp, the bill (No. 1096) entitled "An act to authorize the improvement of the channel of Newtown creek along a portion of its course in the county of Chemung, and the procuring of rights of way for that purpose, and making an appropriation therefor" (Int. No. 927), was referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

On request of Mr. M. E. Lewis, the Senate bill (No. 1536) entitled "An act to amend chapter 614 of the Laws of 1887, being an act to establish a police pension fund for the city of Rochester" (Int. No. 471), was referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

On request of Mr. Rogers, the Senate bill (No. 799) entitled "An act to amend chapter 73 of the Laws of 1898, amendatory of chapter 337 of the Laws of 1897, entitled 'An act conferring additional powers upon trust companies within the counties of this State containing upwards of 300,000 and less than 600,000 inhabitants'" (Rec. No. 342), was referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

On request of Mr. Rogers, the Senate bill (No. 1481) entitled "An act to amend the Banking Law, in relation to the powers and privileges of trust companies" (Rec. No. 451), was referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

On request of Mr. Fordyce, the bill (No. 2539) entitled "An act in relation to State printing, constituting chapter 52 of the general laws, and repealing certain acts and parts of acts inconsistent therewith" (Int. No. 1257), was referred to the committee on rules for the purpose of making said bill a special order on third reading.

On motion of Mr. Allds, the House adjourned.

WEDNESDAY, APRIL 17, 1901.

The House met pursuant to adjournment.

Prayer by Rev. Edwin Forest Hallenbeck.

On motion of Mr. Allds, the reading of the journal of yesterday was dispensed with and the same was approved.

Mr. W. H. Smith introduced a bill entitled "An act to authorize the city of New York to acquire land and property and to maintain the Hamilton grange as a memorial building in honor of Alexander Hamilton" (Int. No. 1694), which was read the first time and referred to the committee on rules.

Mr. Speaker, from the committee on rules, to which was referred the bill (No. 1429) entitled "An act to amend section 279 of chapter 378 of the Laws of 1897, relative to police force" (Int. No. 1121), reported in favor of the passage of the same with the following amendments and that the same when reprinted be made a special order on second and third reading immediately after the consideration of the special order on third reading heretofore reported:

Page 2, line 1, strike out brackets.

Same page, line 2, strike out brackets, and before the word "patrolmen" insert the word "all."

Which report was agreed to, and said bill ordered reprinted and when reprinted made special order on second and third reading immediately.

Mr. Speaker, from the committee on rules, to which was referred the following entitled bills, reported in favor of the passage of the same without amendment, and that the same be made a special order on second and third reading immediately after the consideration of the special order on third reading heretofore reported:

"An act to amend section 36 of the University Law as to the establishment and support of public libraries." (No. 2464, Int. No. 1644.)

"An act to amend chapter 15 of the Laws of 1843, entitled 'An act to incorporate the Westfield Cemetery Corporation' in rela-

tion to the amount of land which such corporation is authorized to acquire and hold." (No. 2529, Int. No. 1674.)

"An act to provide for rebinding, recopying and transcribing certain books and records in the office of the clerk of the county of Queens." (No. 761, Rec. No. 408.)

"An act authorizing the common council of the city of Auburn to borrow money on the credit of said city and issue its bonds to the amount not exceeding \$30,000, the avails to be used for paving portions of East Genesee and Genesee streets, in said city, during the year 1901, and to include the amount of said bonds, maturing each year, with the interest on bonds unpaid, in the tax budget of that year, until all bonds issued under the provisions of this act are fully paid and retired." (No. 1278, Rec. No. 369.)

Which report was agreed to, and said bill ordered made special order on second and third reading immediately after the consideration of the special orders on third reading heretofore reported.

Mr. Speaker, from the committee on rules, to which was referred the following entitled bills, reported in favor of the passage of the same without amendment, and that the same be made a special order on third reading immediately.

"An act relative to the powers and liabilities of The Farmers' Loan and Trust Company, and the qualifications of its directors." (No. 2000, Int. No. 1426.)

"An act for the relief of the Patent and Copyright Protective Association of New York." (No. 2013, Int. No. 1441.)

"An act to amend the Legislative Law, relative to officers and employes of the Senate and Assembly and their compensation." (No. 2504, Int. No. 1556.)

"An act to amend chapter 18 of the Laws of 1862, entitled 'An act to revise the charter of the city of Utica' and the acts amendatory thereof and supplementary thereto, relative to the tax budget, etc." (No. 2483, Rec. No. 173.)

"An act making an appropriation for the construction of buildings for the New York State Hospital, for the treatment of incipient pulmonary tuberculosis." (No. 2390, Rec. No. 145.)

"An act to amend the Tax Law in relation to redemption from tax sales." (No. 1787, Int. No. 1308.)

"An act to regulate public dancing in certain counties of the State." (No. 2191, Int. No. 1513.)

"An act to amend section 18 of chapter 21 of the Laws of 1886, entitled 'An act providing for commutation of sentences for good behavior of convicts in the prisons and penitentiaries in this State,' relative to insane criminals." (No. 2491, Int. No. 1615.)

"An act to amend the Public Health Law, relative to the practice of veterinary medicine and surgery." (No. 2391, Int. No. 1603.)

"An act to authorize the Comptroller of the State to hear and determine the application of Charles C. Cozine for cancellation of the tax sales of great lot No. 3, patent 7, Bergen's purchase, Hamilton county, for unpaid taxes." (No. 2425, Int. No. 1623.)

"An act to amend an act entitled 'An act to incorporate the city of Johnstown,' being chapter 568 of the Laws of 1895, relative to opening, altering, extending and laying out streets." (No. 2370, Int. No. 1599.)

"An act authorizing villages of the fourth class containing a territory of less than one square mile to acquire private streets as parkways and providing for the maintenance thereof." (No. 2507, Int. No. 1585.)

"An act to amend chapter 444 of the Laws of 1866, entitled 'An act to create a board of public instruction in the city of Albany; to establish free schools therein, and amendatory of the several acts relating to the district schools in said city,' relating to appointments by the board." (No. 2485, Int. No. 1384.)

"An act relating to Mount Magdalen School of Industry and Reformatory of the Good Shepherd in the city of Troy and commitments thereto." (No. 2430, Int. No. 1628.)

"An act to amend section 1 of chapter 378 of the Laws of 1883, entitled 'An act in relation to receivers of corporations,' relative to actions brought against corporations." (No. 2462, Int. No. 1520.)

"An act to provide for the support and maintenance of the several State prisons, and the Eastern New York Reformatory, and for the ordinary repairs thereof." (No. 2457, Int. No. 264.)

"An act to amend section 651 of the Penal Code, relative to unlawful interference with electric meters and wires." (No. 2456, Int. No. 1222.)

Which report was agreed to, and said bills ordered made special orders on third reading immediately.

Mr. Speaker, from the committee on rules, to which was referred the Senate bill (No. 1403 reprint), entitled "An act to repeal chapter 378 of the Laws of 1896, entitled 'An act providing for a special jury in criminal cases in each county of the State having a certain population, and for the mode of selecting and procuring such special juries; also creating a special jury commissioner for each of such counties, and regulating and prescribing his duties' " (Rec. No. 40), reported in favor of reconsidering the vote on the final passage of said bill, and in favor of the passing of the same as amended, and that the same be made a special order on third reading immediately, which report was agreed to, and said bill made a special order on third reading immediately.

Mr. Speaker, from the committee on rules, to which was referred the following entitled bills, reported in favor of the passage of the same, without amendment, and that the same be made special orders on third reading immediately.

"An act to provide for establishing the south boundary line and a portion of the southwest boundary line of the county of St. Lawrence and the south boundary line of the county of Franklin, and making an appropriation therefor." (No. 985, Rec. No. 241.)

"An act to amend chapter 59 of the Laws of 1882, entitled 'An act to incorporate the Buffalo Merchants' Exchange,' and the acts amendatory thereof and supplementary thereto." (No. 1258, Rec. No. 379.)

"An act to amend chapter 128 of the Laws of 1899, entitled 'An act to incorporate the city of New Rochelle,' as amended by chapters 462 and 550 of the Laws of 1900." (No. 1370, Rec. No. 387.)

Which report was agreed to, and said bills ordered made special orders on third reading immediately.

Mr. Speaker, from the committee on rules, to which was referred the following entitled bills, reported in favor of the passage of the same, without amendment, and that the same be made special orders on second and third reading immediately

after the consideration of the special orders on third reading heretofore reported.

Senate, "An act to amend sections 1097, 1099, 1100, 1101 and 1132 of the Code of Civil Procedure relating to trial jurors in the counties of New York and Kings." (No. 1273, Rec. No. 370.)

Senate, "An act releasing to the owners of adjoining lands, parts of Albany street, in the city of Buffalo. (No. 1392, Rec. No. 429.)

Senate, "An act to authorize the construction of a wrought iron or steel bridge over the Erie canal, west of the upper Mohawk aqueduct, and for the construction of the approaches thereto, and making an appropriation therefor." (No. 998, Rec. No. 389.)

Senate, "An act to amend the Town Law and the acts amendatory thereof, relating to justices of the peace and town clerks." (No. 1324, Rec. No. 376.)

Senate, "An act to amend section 6 of chapter 133 of the Laws of 1882, relative to collection of taxes levied in the county of Cayuga." (No. 1247, Rec. No. 357.)

Senate, "An act to amend section 55 of the Insurance Law in relation to insurance upon the lives of minors." (No. 1369, Rec. No. 433.)

Senate, "An act to extend the time of the New York State Title Guarantee Company to pay in the remaining two-thirds of its capital stock." (No. 606, Rec. No. 185.)

Senate, "An act to amend the Highway Law being chapter 19 of the general laws." (No. 1083, Rec. No. 276.)

Senate, "An act to amend chapter 112 of the Laws of 1896, entitled 'An act in relation to the traffic in liquors, and for the taxation and regulation of the same, and to provide for local option, constituting chapter 29 of the general laws,' as amended by chapter 312 of the Laws of 1897, by chapter 167 of the Laws of 1898, by chapters 398 and 434 of the Laws of 1899, and by chapters 257 and 367 of the Laws of 1900." (No. 1181, Rec. No. 334.)

Senate, "An act to amend chapter 645 of the Laws of 1898, entitled 'An act in relation to printing in penal institutions in the State.' (No. 1430, Rec. No. 437.)

Senate, "An act to amend the Agricultural Law, entitled 'An act in relation to agriculture, constituting articles 1, 2, 3 4 and

5 of chapter 33 of the general laws', as amended by chapter 113 of the Laws of 1898, to prevent fraud in the sale of paris green." (No. 1385, Rec. No. 404.)

Senate, "An act to incorporate the Inebriates Home for New York city, and to provide funds for the maintenance thereof." (No. 1473, Rec. No. 444.)

Senate, "An act to amend chapter 171 of the Laws of 1901, entitled 'An act to amend chapter 451 of the Laws of 1899, entitled 'An act to enable persons who have deposited money in a bank and have lost the certificate, or the same has been destroyed, to draw the money due thereon,' relating to the satisfaction and discharge of bonds or undertakings given to secure the payment of such certificates." (No. 1429, Rec. No. 430.)

Senate, "An act to amend chapter 309 of the Laws of 1898, being an act entitled 'An act in relation to the compensation of justices of the Supreme Court designated to the Appellate Division of the Second Department, from any district other than the Second Judicial District.'" (No. 450, Rec. No. 330.)

Senate, "An act to amend section 100 of the Railroad Law, in relation to motive power of street surface railroads in the counties of Herkimer and Hamilton." (No. 1079, Rec. No. 283.)

Senate, "An act to enable any person or persons whose rights have been impaired by the action of any municipality in the State in derogation of its grant or covenant to bring an action." (No. 1316, Rec. No. 411.)

Senate, "An act to amend chapter 478 of the Laws of 1893, entitled 'An act to incorporate the city of Olean,' and the acts amendatory thereof." (No. 1381, Rec. No. 414.)

Senate, "An act to amend the State Finance Law, relating to the deposit of State moneys." (No. 1393, Rec. No. 407.)

Senate, "An act to amend section 2632 of the Code of Civil Procedure, in relation to the record of certain wills." (No. 1238, Rec. No. 403.)

Senate, "An act to lay out, establish, build and maintain a causeway, bridge or viaduct for use as a public street cross the Jerome Park Reservoir, from Jerome avenue to Sedgwick avenue in the city of New York." (No. 2530, Rec. No. 328, Senate reprint No. 1200.)

"An act to amend the Consolidated School Law, relative to the dissolution of school districts, etc." (No. 2527, Int. No. 1604.)

Senate, "An act to provide for the representation of the State of New York at the South Carolina, Interstate and West Indian exposition at Charleston, South Carolina, and making an appropriation therefor." (No. 2516, Rec. No. 273.)

"An act making an appropriation for the relief and maintenance of 'the United States Volunteer Life Saving Corps of the State of New York (inland waters).'" (No. 2512, Int. No. 946.)

"An act authorizing the superintendent of the county poor of Albany county to hear, audit, and determine, the claim of the Catholic Male Orphan Asylum of Troy, N. Y., and make an award thereon." (No. 2519, Int. No. 1253.)

Which report was agreed to, and said bills ordered made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported.

Mr. Babcock, from the committee on printed and engrossed bills, reported as correctly printed the following entitled bills:

"An act to amend chapter 444 of the Laws of 1866, entitled 'An act to create a board of public instruction in the city of Albany; to establish free schools therein, and amendatory of the several acts relating to the district schools in said city,' relating to appointments by the board." (No. 2485, Int. No. 1384.)

"An act to amend the Consolidated School Law, relative to the dissolution of school districts, etc." (No. 2527, Int. No. 1604.)

"An act to amend chapter 451 of the Laws of 1899, relating to the satisfaction and discharge of bonds or undertakings given to secure the payment of lost certificates." (No. 2528, Int. No. 1611.)

Senate, "An act to make the office of sheriff of Essex county a salaried office, in part, and to regulate the management thereof." (No. 2525, Rec. No. 383.)

"An act to amend chapter 986 of the Laws of 1896, entitled 'An act to incorporate the Patent and Copyright Protection Association of New York,' as amended by chapter 496 of the Laws of 1898." (No. 2526, Int. No. 1296.)

"An act to make the office of sheriff of the county of Queens a salaried office and regulating the management of said office." (No. 2518, Int. No. 872.)

"An act to amend chapter 568 of the Laws of 1895, entitled 'An act to incorporate the city of Johnstown,' relative to opening, altering, extending and laying out streets." (No. 2508, Int. No. 1599.)

"An act authorizing villages of the fourth class containing a territory of less than one square mile to acquire private streets as parkways and providing for the maintenance thereof." (No. 2507, Int. No. 1585.)

"An act to ratify and legalize the franchise and agreement granted and made by and between the common council of the city of Rome, N. Y., and the Rome City Street Railway Company." (No. 2447, Int. No. 1640.)

"An act to amend chapter 25 of the Laws of 1870, entitled 'An act to incorporate the city of Rome,' relating to assessors, their duties and powers." (No. 2442, Int. No. 1635.)

"An act to provide for dredging and deepening the channel of the Conhocton river and building a dyke along said river in the village of Painted Post, and making an appropriation therefor." (No. 1218, Int. No. 1003.)

"An act to amend the Agricultural Law, relating to the sale and transportation of calves." (No. 2271, Int. No. 1549.)

"An act to amend the Code of Civil Procedure, in relation to attorney's liens." (No. 1712, Int. No. 1284.)

"An act releasing to the owners of adjoining lands, parts of Albany street, in the city of Buffalo." (No. 2366, Int. No. 1595.)

"An act making an appropriation for the settlement of the balance due upon the contract for legislative printing, which expired October 1, 1899." (No. 2502, Int. No. 1665.)

"An act to amend the Highway Law, relative to county supervision of highways." (No. 2460, Int. No. 764.)

"An act to amend section 131 of article 6 of the Tax Law, being chapter 24 of the general laws, as amended by chapter 339 of the Laws of 1898." (No. 2532, Int. No. 1588.)

Mr. Speaker announced the special order, being the bill (No. 2498) entitled "An act to provide for the payment of the claims of the Gamewell Fire Alarm Telegraph Company for furnishing fire alarm signal boxes and certain other materials and labor, to the village of Far Rockaway." (Int. No. 1661.)

Said bill was read the second time,

On motion of Mr. Doughty, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 108 }
 { NOES 0 }

Those who voted in the affirmative, were

Adams	Coons	Griffith	Mathews	Salyerds
Adler	Costello	Hallock	McKeown	Sanders
Ahern	Cotton	Hammond	McQuade	Scanlon
Allds	Coughtry	Hanford	Meister	Schneider
Allston	Darrison	Harris	Morgan	Sherer
Apgar	Davis	Hasenflug	Nye	Smith J E
Axtell	Delaney	Hatch	O'Brien	Smith J T
Babcock	Dempsey	Hawkins	O'Connell	Smith S W
Baker	Dickinson	Hitchcock	Orr	Smith W H
Baum	Dooling	Honeck	Phillips	Stevens
Bedell	Duross	Hyman	Phipps	Sullivan
Bennet	Dusinbery	Juengst	Platt	Swift
Blackwell	Ellis	Kaiser	Poth	Thorn
Brill	Everett	Keenan	Prince	Traub
Brooks	Fancher	Kelly	Rainey	Ulmann
Bruckner	Fisher	Kelsey	Remsen	Vacheron
Bryan	Fitzgerald	Landon	Richter	Van Name
Burnett	Fordyce	Leggett	Rider	Waite
Burns	Fowler	Lewis T D	Roberts	Weber
Cadin	Galbraith	Mains	Robinson	Weekes
Cook	Gardiner R	Mansfield	Rogers	Wilson H
Cooley	Geoghan	Marson		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2496) entitled "An act authorizing the board of estimate and apportionment of the city of New York to audit and allow the claim of John R. Powers of said city for services rendered as

dockmaster of the department of docks of said city, and to provide for the payment of such claim." (Int. No. 1659.)

Said bill was read the second time,

On motion of Mr. Reilley, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 103 }
 { NOES 00 }

Those who voted in the affirmative, were

Adams	Coughtry	Halpin	Mathews	Robinson
Adler	Daly	Hanford	McInerney	Rogers
Ahern	Davis	Harburger	McMillan	Ruehl
Allds	Delaney	Hatch	McQuade	Salyerds
Allston	Dempsey	Hawkins	Morgan	Scanlon
Axtell	Dickey	Hitchcock	O'Brien	Schneider
Babcock	Dickinson	Holsten	O'Malley	Smith A R
Baum	Dooling	Hyman	Orr	Smith J L
Bedell	Doughty	Irwin	Phillips	Smith J T
Bennet	Dusinbery	Juengst	Phipps	Smith W H
Blackwell	Ellis	Kaiser	Platt	Stevens
Brill	Everett	Keenan	Price	Swarts
Brooks	Fish	Kelly	Prince	Thorn
Bryan	Fisher	Kelsey	Rainey	Treat
Burnett	Fitzpatrick	Knipp	Reilley	Vacheron
Burns	Fowler	Landon	Kemsen	Van Name
Cadin	Galbraith	Lewis M E	Reynolds	Walrath
Cook	Gardiner R	Lewis T D	Rider	Weber
Cooley	Gardner C J	Lynn	Rierdon	Weekes
Costello	Geoghan	Mansfield	Roberts	Wilson H
Cotton	Griffith	Marson		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2490) entitled "An act to amend the Labor Law, in relation to the examination and licensing of steam engineers, and establish-

ing a bureau in the office of the Superintendent of Public Works." (Int. No. 1653.)

Said bill having been announced for a second reading,

Mr. Bedell moved that said bill be placed on the order of third reading.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Bedell, and it was determined in the negative.

} AYES 4 }
} NOES 100 }

Those who voted in the affirmative, were

Bedell Coughtry Gardiner R Mansfield

Those who voted in the negative, were

Adams	Delaney	Harris	McQuade	Sanders
Adler	Dempsey	Hasenflug	Meister	Scanlon
Ahern	Dickey	Hawkins	Morgan	Schneider
Allds	Dooling	Holsten	O'Connell	Sherer
Allston	Doughty	Honeck	O'Malley	Smith A R
Baker	Duross	Hyman	Patton	Smith J E
Baum	Dusinbery	Irwin	Phillips	Smith S W
Bell	Egan	Juengst	Plank	Smith W H
Bradley	Ellis	Kaiser	Platt	Snyder
Brill	Fisher	Keenan	Poth	Stevens
Brooks	Fitzgerald	Kelsey	Price	Sullivan
Bryan	Fitzpatrick	Knipp	Prince	Swift
Burnett	Frisbie	Leggett	Rainey	Thorn
Burns	Geoghan	Lewis M E	Reilley	Traub
Cadin	Graeff	Lynn	Remsen	Ulmann
Costello	Hallock	Mains	Reynolds	Vacheron
Cotton	Halpin	Mathews	Richter	Van Name
Darrison	Hammond	McInerney	Rider	Waite
Davis	Hanford	McKeown	Rierdon	Walrath
DeGraw	Harburger	McMillan	Ruehl	Wilson H

Mr. Speaker announced the special order, being the bill (No. 2464) entitled "An act to amend section 36 of the University Law, as to the establishment and support of public libraries." (Int. No. 1644.)

Said bill was read the second time,

On motion of Mr. Griffith, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 108 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Dempsey	Hawkins	Nye	Sanders
Adler	Dickinson	Henry	O'Brien	Schneider
Ahern	Doughty	Holsten	O'Connell	Seymour
Allds	Duross	Hyman	O'Malley	Smith A R
Apgar	Egan	Juengst	Patton	Smith J E
Axtell	Ellis	Kaiser	Phillips	Smith J T
Babcock	Everett	Keenan	Plank	Smith W H
Baker	Fancher	Kelly	Platt	Snyder
Bedell	Fish	Kelsey	Poth	Stevens
Bennet	Fisher	Knipp	Prince	Sullivan
Bradley	Fitzgerald	Landon	Rainey	Swarts
Brooks	Fitzpatrick	Leggett	Reilley	Thorn
Bruckner	Fowler	Lewis M E	Remsen	Traub
Burnett	Frisbie	Lewis T D	Richter	Ulmann
Cadin	Galbraith	Lynn	Rider	Vacheron
Conger	Gardiner R	Mains	Rierdon	Van Name
Cooley	Geoghan	Mansfield	Roberts	Waite
Costello	Griffith	Marson	Robinson	Walrath
Coughtry	Hallock	McInerney	Rogers	Weber
Daly	Hammond	McMillan	Ross	Weekes
Davis	Harburger	McQuade	Salyerds	Wilson H
Delaney	Hasenflug	Meister		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the Senate bill (No. 1086, Assembly reprint No. 2176) entitled "An act to provide for the appointment of a commissioner of jurors and to provide for a special jury in civil and criminal actions in each county of the State having a population of 1,000,000 or more, according to the last preceding federal census." (Rec. No. 272.)

Said bill having been announced for a second reading,

Mr. McKeown moved to amend as follows:

Page 3, line 5, after the word "remove" insert the words "subject to the rules of the civil service commission."

Mr. Speaker put the question whether the House would agree to said motion of Mr. McKeown, and it was determined in the negative.

} AYES 36 }
 } NOES 80 }

Those who voted in the affirmative, were

Burns	Fitzgerald	Holsten	McInerney	Rierdon
Cooley	Frisbie	Honeck	O'Connell	Sanders
Daly	Geoghan	Juengst	Poth	Scanlon
Delaney	Halpin	Kaiser	Prince	Smith J E
Dickey	Harburger	Keenan	Reilley	Sullivan
Dooling	Hasenflug	Lynn	Richter	Ulmann
Duross	Hawkins	Mathews	Rider	Van Name
Egan				

Those who voted in the negative, were

Adams	Costello	Hammond	O'Brien	Schneider
Ahern	Cotton	Hanford	O'Malley	Seymour
Allston	Coughtry	Harris	Patton	Sherer
Apgar	Darrison	Henry	Phillips	Smith A R
Axtell	Davis	Hitchcock	Phipps	Smith J L
Babcock	Dickinson	Irwin	Plank	Smith J T
Baker	Doughty	Kelsey	Platt	Smith W H
Bennet	Dusinbery	Knipp	Price	Swarts
Brill	Ellis	Landon	Rainey	Swift
Brooks	Fancher	Lewis T D	Remsen	Thorn
Bryan	Fish	Mansfield	Reynolds	Traub
Burnett	Fisher	Marson	Robinson	Treat
Cadin	Fowler	McMillan	Rogers	Vacheron
Conger	Galbraith	McQuade	Ross	Waite
Cook	Graeff	Morgan	Ruehl	Walrath
Coons	Hallock	Nye	Salyerds	Weekes

Said bill was then read the second time,

On motion of Mr. Elsberg, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 101 }
{ NOES 45 }

Those who voted in the affirmative, were

Adams	Coons	Griffith	Morgan	Schneider
Adler	Cotton	Hallock	Nye	Seymour
Ahern	Coughtry	Hammond	O'Brien	Sherer
Allds	Darrison	Hanford	O'Malley	Smith A R
Allston	Davis	Harris	Orr	Smith J L
Apgar	DeGraw	Hatch	Patton	Smith J T
Axtell	Dickinson	Henry	Phipps	Smith S W
Babcock	Doughty	Hitchcock	Plank	Smith W II
Baker	Dusinbery	Irwin	Platt	Snyder
Bedell	Ellis	Kelsey	Price	Stevens
Bell	Everett	Knipp	Rainey	Swarts
Bennet	Fancher	Landon	Remsen	Swift
Blackwell	Fish	Leggett	Reynolds	Thorn
Brill	Fisher	Lewis M E	Roberts	Traub
Brooks	Fordyce	Lewis T D	Robinson	Treat
Bryan	Fowler	Mains	Rodenbeck	Vacheron
Burnett	Galbraith	Mansfield	Rogers	Waite
Cadin	Gardiner R	Marson	Ross	Walrath
Conger	Gardner C J	McMillan	Ruehl	Weber
Cook	Graeff	McQuade	Salyerds	Weekes
Cooley				

Those who voted in the negative, were

Baum	Duross	Hawkins	Mathews	Rider
Bradley	Egan	Holsten	McInerney	Richter
Bruckner	Fitzgerald	Honeck	McKeown	Sanders
Burns	Fitzpatrick	Hyman	Meister	Scanlon
Daly	Frisbie	Juengst	O'Connell	Smith J E
Delaney	Geoghan	Kaiser	Poth	Sullivan
Dempsey	Halpin	Keenan	Prince	Ulmann
Dickey	Harburger	Kelly	Reilley	Van Name
Dooling	Hasenflug	Lynn	Richter	Wilson H

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same with amendments.

Mr. Speaker announced the special order, being the bill (No. 2529) entitled "An act to amend chapter 15 of the Laws of 1843, entitled 'An act to incorporate the Westfield Cemetery Corporation,' in relation to the amount of land which such corporation is authorized to acquire and hold." (Int. No. 1674.)

Said bill was read the second time.

On motion of Mr. Fowler, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 98 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Delaney	Harburger	Nye	Schneider
Adler	Dickey	Harris	O'Brien	Seymour
Allds	Dooling	Hatch	O'Malley	Smith A R
Allston	Doughty	Henry	Patton	Smith J E
Apgar	Dusinbery	Holsten	Phillips	Smith J T
Babcock	Egan	Hyman	Plank	Smith S W
Baum	Ellis	Juengst	Platt	Smith W H
Bedell	Fancher	Keenan	Poth	Stevens
Bennet	Fish	Kelly	Rainey	Sullivan
Blackwell	Fisher	Knipp	Reilley	Swift
Brill	Fitzgerald	Landon	Reynolds	Thorn
Bruckner	Fitzpatrick	Lewis M E	Rider	Treat
Burnett	Fordyce	Lewis T D	Roberts	Ulmann
Cadin	Fowler	Lynn	Robinson	Van Name
Conger	Galbraith	Mansfield	Rodenbeck	Waite
Cooley	Gardiner R	Marson	Rogers	Walrath
Costello	Geoghan	McInerney	Ross	Weber
Coughtry	Griffith	McKeown	Salyerds	Weekes
Darrison	Halpin	McQuade	Sanders	Wilson H
Davis	Hammond	Meister		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the Senate bill (No. 761) entitled "An act to provide for rebinding, recopying and transcribing certain books and records in the office of the clerk of the county of Queens." (Rec. No. 408.)

Said bill having been announced for a second reading,

On motion of Mr. Vacheron, said bill was placed on the order of third reading.

Mr. Vacheron moved that said bill be recommitted to the committee on internal affairs, with instructions to report the same forthwith, amended as follows:

Page 1, line 10, after the word "installments" insert the following: "But none of the works above specified shall be done except upon the application of the county clerk to the supreme court for the appointment of two commissioners who shall serve without compensation, and who shall condemn such mutilated records and report and certify to the court that the same should be recopied and preserved."

Mr. Speaker put the question whether the House would agree to said motion of Mr. Vacheron, and it was determined in the affirmative.

Mr. Doughty, from the committee on internal affairs, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

Mr. Speaker announced the special order, being the Senate bill (No. 1278) entitled "An act authorizing the common council of the city of Auburn to borrow money on the credit of said city and issue its bonds to the amount not exceeding \$30,000, the avails to be used for paving portions of East Genesee and Genesee streets, in said city, during the year 1901, and to include the amount of said bonds, maturing each year, with the interest on bonds unpaid, in the tax budget of that year, until all bonds issued under the provisions of this act are fully paid and retired." (Rec. No. 369.)

Said bill was read the second time.

On motion of Mr. Fordyce, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 108 {
 { NOES 00 {

Those who voted in the affirmative, were

Adams	DeGraw	Hawkins	Meister	Salyerds
Adler	Delaney	Hitchcock	Morgan	Scanlon
Ahern	Dempsey	Honeck	Nye	Schneider
Allds	Dickey	Hyman	O'Brien	Seymour
Allston	Dooling	Irwin	O'Connell	Smith A R
Axtell	Doughty	Juengst	Orr	Smith J L
Baker	Duross	Keenan	Patton	Smith J T
Baum	Egan	Kelly	Phillips	Smith W H
Bedell	Ellis	Kelsey	Phipps	Snyder
Bennet	Everett	Knipp	Platt	Stevens
Bradley	Fancher	Landon	Poth	Sullivan
Brill	Fish	Leggett	Price	Swift
Brooks	Fitzgerald	Lewis M E	Rainey	Thorn
Bryan	Fordyce	Lewis T D	Remsen	Treat
Burnett	Frisbie	Lynn	Reynolds	Traub
Cadin	Gardiner R	Mains	Rider	Ulmann
Conger	Geoghan	Mansfield	Rierdon	Van Name
Cooley	Graeff	Marson	Robinson	Waite
Coons	Griffith	Mathews	Rodenbeck	Walrath
Costello	Hammond	McInerney	Ross	Weber
Coughtry	Harburger	McKeown	Ruehl	Wilson H
Darrison	Hasenflug	McQuade		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the bill (No. 2499) entitled "An act authorizing John J. Cunningham and Campbell W. Adams to construct and maintain a dam across the Hudson river in Warren county." (Int. No. 1662.)

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 110 }
{ NOES 16 }

Those who voted in the affirmative, were

Adams	Coughtry	Hanford	Orr	Seymour
Ahern	Darrison	Harris	Patton	Sherer
Allds	Davis	Hatch	Phillips	Smith A R
Allston	DeGraw	Hitchcock	Phipps	Smith J E
Apgar	Dickinson	Irwin	Plank	Smith J L
Axtell	Dusinbery	Kelly	Platt	Smith J T
Babcock	Egan	Kelsey	Price	Smith S W
Baker	Ellis	Knipp	Rainey	Smith W H
Bedell	Everett	Landon	Reilley	Snyder
Bell	Fancher	Leggett	Remsen	Stevens
Bennet	Fish	Lewis M E	Reynolds	Sullivan
Blackwell	Fisher	Lewis T D	Richter	Swarts
Brill	Fordyce	Lynn	Rierdon	Swift
Brooks	Fowler	Mains	Roberts	Thorn
Bryan	Galbraith	Mansfield	Robinson	Traub
Cadin	Gardiner R	Marson	Rodenbeck	Treat
Conger	Geoghan	McMillan	Rogers	Ulmann
Cook	Graeff	McQuade	Ross	Vacheron
Cooley	Griffith	Morgan	Ruehl	Waite
Coons	Hallock	Nye	Salyerds	Walrath
Costello	Halpin	O'Brien	Sanders	Weber
Cotton	Hammond	O'Malley	Schneider	Weekes

Those who voted in the negative, were

Baum	Duross	Hasenflug	Hyman	Mathews
Daly	Frisbie	Holsten	Juengst	Meister
Dempsey	Harburger	Honeck	Kaiser	Prince
Dooling				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2503) entitled "An act to appropriate annually the sum of \$5,000 to be made by the board of estimate and apportionment of the city of New York in its discretion for the benefit of the benevolent funds of former volunteer fire departments of the former

towns, Flatbush, New Utrecht, Gravesend and Flatlands." (Int. No. 1545.)

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 104 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Davis	Hatch	Meister	Salyerds
Adler	DeGraw	Hawkins	Morgan	Sanders
Ahern	Delaney	Hitchcock	Nye	Scanlon
Alds	Dickinson	Holsten	O'Connell	Schneider
Allston	Doughty	Hyman	O'Malley	Sherer
Apgar	Duross	Juengst	Orr	Smith J E
Axtell	Egan	Kaiser	Phipps	Smith J T
Babcock	Ellis	Keenan	Plank	Smith W H
Baum	Fancher	Kelly	Platt	Snyder
Bedell	Fisher	Kelsey	Poth	Stevens
Bennet	Fitzgerald	Knipp	Price	Swarts
Bradley	Fordyce	Landon	Rainey	Swift
Brill	Frisbie	Lewis M E	Reilley	Thorn
Bruckner	Galbraith	Lewis T D	Reynolds	Treat
Bryan	Gardner C J	Lynn	Richter	Ulmann
Burns	Graeff	Mansfield	Rider	Vacheron
Cadin	Griffith	Marson	Roberts	Waite
Cook	Hallock	McInerney	Robinson	Walrath
Coons	Halpin	McKeown	Rogers	Weber
Cotton	Hanford	McMillan	Ross	Wilson H
Darrison	Harris	McQuade	Ruehl	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2000) entitled "An act relative to the powers and liabilities of The Farmers' Loan and Trust Company, and the qualifications of its directors." (Int. No. 1426.)

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 106 }
 { NOES 7 }

Those who voted in the affirmative, were

Adams	Coughtry	Hatch	O'Malley	Smith A R
Ahern	Darrison	Henry	Patton	Smith J E
Allds	Davis	Hitchcock	Phillips	Smith J L
Allston	Dickinson	Honeck	Phipps	Smith J T
Apgar	Doughty	Irwin	Platt	Smith S W
Axtell	Dusinbery	Kelsey	Price	Smith W H
Babcock	Ellis	Knipp	Rainey	Snyder
Baker	Everett	Landon	Remsen	Stevens
Bell	Fancher	Leggett	Reynolds	Sullivan
Bennet	Fish	Lewis M E	Rierdon	Swarts
Blackwell	Fisher	Lewis T D	Roberts	Swift
Brill	Fitzgerald	Lynn	Robinson	Thorn
Brooks	Fowler	Mains	Rodenbeck	Traub
Burnett	Galbraith	Mansfield	Rogers	Treat
Burns	Gardiner R	Marson	Ross	Ulmann
Cadin	Graeff	McInerney	Ruehl	Vacheron
Conger	Griffith	McKeown	Salverds	Waite
Cook	Hallock	McQuade	Sanders	Walrath
Cooley	Hammond	Morgan	Schneider	Weber
Coons	Hanford	O'Brien	Seymour	Weekes
Costello	Harris	O'Connell	Sherer	Wilson H
Cotton				

Those who voted in the negative, were

Dooling	Harburger	Hyman	Kaiser	Mathews
Duross	Holsten			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2013) entitled "An act for the relief of the Patent and Copyright Protective Association of New York." (Int. No. 1441.)

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 112 }
 { NOES 00 }

Those who voted in the affirmative, were

Adams	Cotton	Harris	Mathews	Ross
Adler	Daly	Hasenflug	McKeown	Salyerds
Ahern	Darrison	Hatch	McMillan	Sanders
Alds	DeGraw	Henry	Meister	Scanlon
Allston	Dempsey	Hitchcock	Nye	Seymour
Apgar	Dickey	Holsten	O'Brien	Sherer
Axtell	Dooling	Honeck	O'Connell	Smith J E
Babcock	Deughty	Hyman	Orr	Smith J L
Baker	Duross	Irwin	Patton	Smith S W
Baum	Egan	Juengst	Phipps	Smith W H
Bedell	Ellis	Kaiser	Platt	Snyder
Bell	Fancher	Keenan	Poth	Sullivan
Bennet	Fish	Kelly	Prince	Swarts
Blackwell	Fitzgerald	Kelsey	Rainey	Swift
Brill	Fordyce	Knipp	Reilley	Thorn
Brooks	Frisbie	Landon	Remsen	Treat
Bryan	Gardiner R	Leggett	Richter	Ulmann
Burnett	Gardner C J	Lewis M E	Rider	Van Name
Burns	Geoghan	Lewis T D	Rierdon	Waite
Conger	Griffith	Mains	Robinson	Weber
Cook	Halpin	Mansfield	Rodenbeck	Weekes
Cooley	Hammond	Marson	Rogers	Wilson H
Coons	Hanford			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2504) entitled "An act to amend the Legislative Law, relative to officers and employes of the Senate and Assembly and their compensation." (Int. No. 1556.)

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 113 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Dickey	Hatch	Meister	Sanders
Adler	Dickinson	Henry	Morgan	Scanlon
Ahern	Doughty	Hitchcock	Nye	Schneider
Allston	Dusinbery	Holsten	O'Brien	Seymour
Apgar	Egan	Hyman	O'Malley	Smith A R
Axtell	Ellis	Irwin	Orr	Smith J E
Babcock	Everett	Juengst	Patton	Smith J L
Baum	Fancher	Kaiser	Phipps	Smith S W
Bedell	Fish	Keenan	Plank	Smith W H
Bell	Fisher	Kelly	Platt	Snyder
Bennet	Fitzgerald	Kelsey	Price	Sullivan
Blackwell	Fitzpatrick	Knipp	Prince	Swarts
Brill	Fowler	Landon	Rainey	Swift
Bruckner	Frisbie	Leggett	Remsen	Thorn
Burnett	Galbraith	Lewis M E	Reynolds	Traub
Cadin	Gardiner R	Lewis T D	Rider	Ulmann
Cook	Geoghan	Lynn	Rierdon	Vacheron
Coons	Graeff	Mains	Roberts	Van Name
Cotton	Hallock	Mansfield	Rodenbeck	Walrath
Coughtry	Halpin	Marson	Rogers	Weber
Darrison	Hanford	McInerney	Ross	Weekes
DeGraw	Harburger	McKeown	Ruehl	Wilson H
Dempsey	Hasenflug	McMillan		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the Senate bill (No. 2483) entitled "An act to amend chapter 18 of the Laws of 1862, entitled 'An act to revise the charter of the city of Utica' and the acts amendatory thereof and supplementary thereto, relative to the tax budget, etc." (Rec. No. 173.)

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 114 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Coughtry	Halpin	McMillan	Schneider
Adler	Daly	Hammond	McQuade	Seymour
Ahern	Davis	Harburger	Morgan	Sherer
Allds	DeGraw	Harris	Nye	Smith J E
Allston	Delaney	Hatch	O'Brien	Smith J L
Apgar	Dickey	Henry	O'Connell	Smith J T
Axtell	Dickinson	Holsten	Patton	Smith S W
Baker	Doughty	Honeck	Phipps	Smith W H
Baum	Duross	Irwin	Plank	Snyder
Bedell	Egan	Juengst	Platt	Stevens
Bennet	Ellis	Kaiser	Price	Sullivan
Blackwell	Everett	Keenan	Prince	Swift
Bradley	Fish	Kelly	Reilley	Thorn
Brooks	Fisher	Kelsey	Remsen	Traub
Bruckner	Fitzpatrick	Knipp	Richter	Treat
Bryan	Fordyce	Leggett	Rider	Ulmann
Burnett	Fowler	Lewis M E	Roberts	Van Name
Cadin	Frisbie	Lewis T D	Robinson	Waite
Conger	Galbraith	Lynn	Rodenbeck	Walrath
Cook	Gardner C J	Mansfield	Rogers	Weber
Cooley	Graeff	Marson	Ruehl	Weekes
Costello	Griffith	McInerney	Salterds	Wilson H
Cotton	Hallock	McKeown	Sanders	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same with amendment.

Mr. Speaker announced the special order, being the Senate bill (No. 2390) entitled "An act making an appropriation for the construction of buildings for the New York State Hospital, for the treatment of incipient pulmonary tuberculosis." (Rec. No. 145.)

Said bill having been announced for a third reading,

On motion of Mr. Allds, said bill was laid aside, retaining its place on the order of third reading.

Mr. Speaker announced the special order, being the bill (No. 1787) entitled "An act to amend the Tax Law in relation to redemption from tax sales." (Int. No. 1308.)

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 99 }
 { NOES 00 }

Those who voted in the affirmative, were

Adams	Cooley	Griffith	Mains	Ruehl
Adler	Costello	Hallock	Mansfield	Salyerds
Ahern	Coughtry	Hammond	Mathews	Sanders
Alds	Darrison	Hanford	McInerney	Schneider
Allston	Davis	Harburger	McMillan	Sherer
Apgar	Delaney	Hasenflug	Meister	Smith J E
Axtell	Dickey	Hawkins	Nye	Smith J L
Babcock	Dooling	Henry	O'Connell	Smith S W
Baker	Duross	Holsten	Orr	Snyder
Baum	Dusinbery	Honeck	Phillips	Stevens
Bedell	Ellis	Irwin	Plank	Swarts
Bell	Fancher	Juengst	Platt	Swift
Blackwell	Fish	Kaiser	Price	Traub
Bradley	Fitzgerald	Keenan	Rainey	Ulmann
Brooks	Fordyce	Kelly	Reilley	Vacheron
Bruckner	Fowler	Kelsey	Reynolds	Van Name
Burnett	Galbraith	Knipp	Richter	Walrath
Burns	Gardiner R	Leggett	Rierdon	Weber
Cadin	Gardner C J	Lewis M E	Robinson	Wilson H
Cook	Geoghan	Lynn	Rogers	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2191) entitled "An act to regulate public dancing in certain counties of the State." Int. No. 1513.)

Said bill having been announced for a third reading,

Mr. Sanders moved that said bill be recommitted to the com-

mittee on general laws, with instructions to report the same forthwith, amended, as follows:

Page 2, line 10, insert the words "dancing school" after the word "any."

Mr. Speaker put the question whether the House would agree to said motion of Mr. Sanders, and it was determined in the negative.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{	AYES	79	}
{	NOES	41	}

Those who voted in the affirmative, were

Ahern	Cook	Galbraith	Mansfield	Ruehl
Allds	Cooley	Gardiner R	McMillan	Salyerds
Allston	Coons	Graeff	Morgan	Seymour
Apgar	Costello	Griffith	Nye	Sherer
Axtell	Cotton	Hallock	O'Brien	Smith A R
Babcock	Coughtry	Hammond	O'Malley	Smith J T
Baker	Darrison	Hanford	Orr	Smith W H
Bedell	Davis	Harris	Patton	Stevens
Bell	Dickinson	Hatch	Plank	Swarts
Bennet	Doughty	Irwin	Price	Swift
Blackwell	Dusinbery	Kelsey	Rainey	Thorn
Brill	Ellis	Knipp	Remsen	Traub
Bryan	Everett	Landon	Reynolds	Treat
Burnett	Fish	Leggett	Robinson	Waite
Cadin	Fisher	Lewis M E	Rodenbeck	Walrath
Conger	Fowler	Mains	Ross	

Those who voted in the negative, were

Adams	Egan	Holsten	McInerney	Richter
Baum	Fitzpatrick	Honeck	McKeown	Rider
Bradley	Frisbie	Hyman	McQuade	Rierdon
Burns	Geoghan	Juengst	Meister	Roberts
Daly	Harburger	Kaiser	O'Connell	Sanders

Delaney	Hasenflug	Kelly	Phipps	Scanlon
Dempsey	Hawkins	Lynn	Prince	Sullivan
Dickey	Hitchcock	Mathews	Reilley	Ulmann
Dooling				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2481) entitled "An act to amend section 18 of chapter 21 of the Laws of 1886, entitled 'An act providing for commutation of sentences for good behavior of convicts in the prisons and penitentiaries in this State,' relative to insane criminals." (Int. No. 1615.)

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 106 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Cotton	Hammond	McKeown	Sanders
Adler	Coughtry	Harburger	McQuade	Scanlon
Ahern	Darrison	Harris	Meister	Schneider
Allds	Davis	Hatch	Nye	Sherer
Apgar	Delaney	Hawkins	O'Brien	Smith A R
Axtell	Dempsey	Hitchcock	O'Malley	Smith J L
Babcock	Dickey	Honeck	Orr	Smith S W
Baker	Dooling	Hyman	Phillips	Smith W H
Baum	Doughty	Juengst	Phipps	Stevens
Bell	Duross	Kaiser	Platt	Sullivan
Bennet	Egan	Keenan	Price	Swift
Blackwell	Ellis	Kelly	Rainey	Thorn
Brill	Fancher	Kelsey	Reilley	Traub
Brooks	Fisher	Knipp	Reynolds	Treat
Bruckner	Fitzgerald	Landon	Richter	Vacheron
Bryan	Fordyce	Leggett	Rider	Van Name
Burnet	Frisbie	Lewis T D	Roberts	Waite
Burns	Gardiner R	Mains	Robinson	Walrath

Cadin	Geoghan	Mansfield	Rodenbeck	Weber
Conger	Griffith	Marson	Rogers	Weekes
Cooley	Hallock	McInerney	Ruehl	Wilson H
Coons				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2391) entitled "An act to amend the Public Health Law, relative to the practice of veterinary medicine and surgery." (Int. No. 1603.)

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 112 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Darrison	Hatch	McMillan	Scanlon
Adler	DeGraw	Hawkins	McQuade	Seymour
Allds	Delaney	Hitchcock	Meister	Sherer
Allston	Dempsey	Honeck	Morgan	Smith A R
Axtell	Dickinson	Irwin	Nye	Smith J L
Babcock	Doughty	Juengst	O'Malley	Smith J T
Baum	Duross	Kaiser	Orr	Smith S W
Bedell	Egan	Keenan	Phillips	Smith W H
Bell	Ellis	Kelly	Phipps	Stevens
Bennet	Fancher	Kelsey	Plank	Sullivan
Bradley	Fisher	Knipp	Platt	Swarts
Brill	Fitzgerald	Landon	Poth	Swift
Brooks	Fitzpatrick	Leggett	Price	Thorn
Bruckner	Fowler	Lewis M E	Prince	Traub
Burnett	Galbraith	Lewis T D	Reilley	Treat
Burns	Gardiner R	Lynn	Reynolds	Ulmann
Cadin	Geoghan	Mains	Richter	Vacheron
Conger	Graeff	Mansfield	Rierdon	Van Name
Cooley	Griffith	Marson	Rodenbeck	Waite
Coons	Halpin	Mathews	Rogers	Weber
Costello	Hammond	McInerney	Ruehl	Weekes
Cotton	Harburger	McKeown	Salyerds	Wilson H
Daly	Harris			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2425) entitled "An act to authorize the Comptroller of the State to hear and determine the application of Charles C. Cozine for cancellation of the tax sales of great lot No. 3, patent 7, Bergen's purchase, Hamilton county, for unpaid taxes." (Int. No. 1623.)

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 115 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Davis	Hanford	Meister	Sanders
Adler	DeGraw	Harburger	Morgan	Scanlon
Ahern	Delaney	Hasenflug	Nye	Schneider
Allds	Dickey	Hawkins	O'Connell	Seymour
Apgar	Dickinson	Henry	O'Malley	Sherer
Axtell	Doughty	Holsten	Patton	Smith A R
Babcock	Dusinbery	Honeck	Phillips	Smith J L
Baum	Ellis	Irwin	Plank	Smith J T
Bedell	Everett	Juengst	Platt	Smith S W
Bell	Fancher	Kaiser	Poth	Snyder
Bennet	Fish	Keenan	Price	Stevens
Blackwell	Fisher	Kelly	Rainey	Sullivan
Bradley	Fitzpatrick	Kelsey	Reilley	Swift
Brill	Fordyce	Knipp	Remsen	Thorn
Brooks	Fowler	Leggett	Reynolds	Traub
Bruckner	Frisbie	Lewis M E	Rider	Treat
Burnett	Galbraith	Lewis T D	Rierdon	Ulmann
Cadin	Gardner C J	Lynn	Roberts	Vacheron
Cook	Geoghan	Mansfield	Robinson	Van Name
Coons	Graeff	Marson	Rogers	Waite
Costello	Griffith	McInerney	Ross	Walrath
Coughtry	Hallock	McMillan	Ruehl	Weekes
Darrison	Hammond	McQuade	Salvyerds	Wilson H

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2370) entitled "An act to amend an act entitled 'An act to incorporate the city of Johnstown,' being chapter 568 of the Laws of 1895, relative to opening, altering, extending and laying out streets." (Int. 1599.)

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 91 }
 { NOES 00 }

Those who voted in the affirmative, were

Adams	Daly	Halpin	Marson	Ross
Adler	Darrison	Hanford	McKeown	Salyerds
Ahern	DeGraw	Harburger	McQuade	Scanlon
Alds	Delaney	Hasenflug	Meister	Schneider
Allston	Dickey	Hawkins	Nye	Sherer
Axtell	Dooling	Hitchcock	O'Brien	Smith J E
Babcock	Doughty	Holsten	O'Malley	Smith J T
Baker	Dusinbery	Hyman	Orr	Smith W H
Baum	Ellis	Juengst	Phipps	Stevens
Bedell	Fancher	Kaiser	Plank	Swarts
Bennet	Fisher	Keenan	Poth	Thorn
Bradley	Fitzgerald	Kelly	Prince	Treat
Brooks	Fordyce	Kelsey	Rainey	Ulmann
Burnett	Frisbie	Landon	Remsen	Van Name
Burns	Gardiner R	Lewis M E	Richter	Walrath
Conger	Geoghan	Lewis T D	Rierdon	Weber
Cooley	Graeff	Mains	Robinson	Weekes
Costello	Griffith	Mansfield	Rodenbeck	Wilson H
Cotton				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No.

2507) entitled "An act authorizing villages of the fourth class containing a territory of less than one square mile to acquire private streets as parkways and providing for the maintenance thereof." (Int. No. 1585.)

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 98 }
 } NOES 00 }

Those who voted in the affirmative, were

Adams	DeGraw	Hasenflug	Morgan	Schneider
Adler	Dempsey	Hatch	O'Brien	Sherer
Allds	Dickey	Henry	O'Malley	Smith A R
Allston	Dooling	Holsten	Orr	Smith J E
Axtell	Doughty	Hyman	Phillips	Smith J L
Babcock	Dusinbery	Juengst	Phipps	Smith S W
Baum	Egan	Kaiser	Platt	Smith W H
Bedell	Everett	Keenan	Price	Snyder
Bell	Fancher	Kelly	Prince	Stevens
Blackwell	Fisher	Kelsey	Rainey	Swarts
Bradley	Fitzpatrick	Knipp	Remsen	Swift
Brill	Fowler	Landon	Reynolds	Thorn
Bruckner	Frisbie	Lewis M E	Rider	Treat
Burnett	Gardner C J	Lewis T D	Rierdon	Ulmann
Burns	Geoghan	Lynn	Roberts	Van Name
Conger	Griffith	Mansfield	Rodenbeck	Waite
Cooley	Hallock	Mathews	Ross	Weber
Costello	Halpin	McInerney	Salyerds	Weekes
Coughtry	Hanford	McKeown	Sanders	Wilson H
Dickinson	Harris	McQuade		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Allds moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded:

Adams	Coughtry	Hammond	Morgan	Ruehl
Adler	Daly	Harburger	Nye	Salyerds
Ahern	Darrison	Harris	O'Brien	Sanders
Allds	Delaney	Hasenflug	O'Connell	Scanlon
Allston	Dempsey	Hatch	O'Malley	Schneider
Axtell	Dickey	Henry	Patton	Seymour
Babcock	Dickinson	Hitchcock	Phipps	Sherer
Baker	Dooling	Honeck	Plank	Smith A R
Baum	Doughty	Hyman	Platt	Smith J L
Bedell	Duross	Irwin	Poth	Smith J T
Bell	Dusinbery	Juengst	Price	Smith W H
Bennet	Egan	Kaiser	Prince	Stevens
Blackwell	Ellis	Keenan	Rainey	Sullivan
Bradley	Fish	Kelly	Reilley	Swarts
Brill	Fisher	Kelsey	Remsen	Swift
Brooks	Fitzgerald	Knipp	Reynolds	Traub
Bryan	Fitzpatrick	Landon	Richter	Ulmann
Burns	Fordyce	Lewis T D	Rider	Van Name
Cadin	Frisbie	Mains	Rierdon	Waite
Cook	Galbraith	Mansfield	Roberts	Walrath
Cooley	Gardiner R	Mathews	Robinson	Weber
Coons	Geoghan	McMillan	Rodenbeck	Weekes
Costello	Griffith	McQuade	Rogers	Wilson H
Cotton	Hallock	Meister	Ross	119

Mr. Allds moved that all further proceedings, under the call of the House, be suspended.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker announced the special order, being the bill (No. 2485) entitled "An act to amend chapter 444 of the Laws of 1866, entitled 'An act to create a board of public instruction in the city of Albany, to establish free schools therein, and amendatory of the several acts relating to the district schools in said city,' relating to appointments by the board." (Int. No. 1384.)

Said bill having been announced for a third reading,

Mr. McKeown moved that said bill be recommitted to the committee on affairs of cities, with instructions to report the same forthwith, amended, as follows:

Strike out section 2, and insert the following:

§ 2. Nothing in this act shall be construed to legislate a veteran of the Civil War out of office.

§ 14. This act shall take effect immediately.

Mr. Speaker put the question whether the House would agree to said motion of Mr. McKeown, and it was determined in the affirmative.

{ AYES 69 }
{ NOES 51 }

Those who voted in the affirmative, were

Ahern	Dickey	Hawkins	McQuade	Sanders
Allston	Dooling	Hitchcock	Meister	Scanlon
Baker	Duross	Holsten	Nye	Smith J E
Baum	Dusinbery	Honeck	O'Connell	Smith J L
Bell	Egan	Hyman	Patton	Smith W H
Blackwell	Fish	Juengst	Poth	Snyder
Bradley	Fisher	Kaiser	Prince	Sullivan
Brill	Fitzpatrick	Keenan	Reilley	Swift
Burns	Frisbie	Kelly	Remsen	Traub
Cadin	Geoghan	Lynn	Richter	Ulmann
Cotton	Halpin	Mathews	Rider	Van Name
Daly	Harburger	McInerney	Rierdon	Waite
Delaney	Harris	McKeown	Ross	Walrath
Dempsey	Hasenflugh	McMillan	Salyerds	

Those who voted in the negative, were

Allds	Doughty	Hanford	Mansfield	Rogers
Axtell	Ellis	Hatch	Morgan	Schneider
Babcock	F Everett	Henry	O'Brien	Seymour
Bedell	Fordyce	Irwin	O'Malley	Smith A R
Bennet	Fowler	Kelsey	Orr	Stevens
Brooks	Galbraith	Knipp	Plank	Swarts
Bryan	Gardiner R	Landon	Platt	Thorn
Conger	Griffith	Leggett	Price	Treat
Coons	Hallock	Lewis T D	Reynolds	Weekes
Coughtry	Hammond	Mains	Rodenbeck	Wilson H
Dickinson				

Mr. Coughtry moved to reconsider the vote by which said motion was adopted, and that said motion lie on the table.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Coughtry, and it was determined in the affirmative.

Mr. Speaker announced the special order, being the bill (No. 2430) entitled "An act relating to Mount Magdalen School of Industry and Reformatory of the Good Shepherd in the city of Troy and commitments thereto." (Int. No. 1628.)

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{	AYES	94	}
{	NOES	00	}

Those who voted in the affirmative, were

Adams	Cotton	Hasenflug	O'Malley	Sherer
Adler	Coughtry	Hawkins	Patton	Smith J E
Allds	Daly	Hitchcock	Phillips	Smith J L
Allston	Davis	Honeck	Plank	Smith J T
Axtell	Delaney	Irwin	Poth	Smith W H
Babcock	Dickey	Kaiser	Price	Snyder
Baum	Dooling	Keenan	Rainey	Sullivan
Bell	Duross	Kelly	Remsen	Swarts
Bennet	Dusinbery	Kelsey	Richter	Swift
Blackwell	Ellis	Landon	Rider	Thorn
Bradley	Fancher	Lewis M E	Roberts	Treat
Brooks	Fisher	Lewis T D	Robinson	Ulmann
Bruckner	Fitzgerald	Mansfield	Rodenbeck	Vacheron
Burnett	Fowler	Mathews	Ross	Waite
Burns	Frisbie	McKeown	Ruehl	Walrath
Conger	Gardner C J	McMillan	Sanders	Weber
Cook	Geoghan	Meister	Scanlon	Weekes
Cooley	Griffith	Nye	Schneider	Wilson H
Coons	Halpin	O'Brien	Seymour	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2462) entitled "An act to amend section 1 of chapter 378 of the Laws of 1883, entitled 'An act in relation to receivers of corporations,' " relative to actions brought against corporations. (Int. No. 1520.)

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{	AYES	98	}
{	NOES	00	}

Those who voted in the affirmative, were

Adams	Daly	Harburger	Meister	Seymour
Adler	Davis	Hasenflug	Nye	Sherer
Ahern	Delaney	Hatch	O'Connell	Smith A R
Allston	Dickey	Henry	Orr	Smith J E
Apgar	Dickinson	Hitchcock	Phillips	Smith J L
Axtell	Doughty	Holsten	Phipps	Smith J T
Babcock	Duross	Honeck	Platt	Smith W H
Baum	Egan	Irwin	Price	Snyder
Bedell	Everett	Juengst	Rainey	Sullivan
Bennet	Fish	Kaiser	Remsen	Swarts
Blackwell	Fisher	Keenan	Reynolds	Thorn
Brill	Fitzpatrick	Kelly	Rider	Treat
Brooks	Fordyce	Kelsey	Roberts	Ulmann
Bryan	Frisbie	Knipp	Rodenbeck	Van Name
Burnett	Gardiner R	Leggett	Rogers	Waite
Cadin	Gardner C J	Lewis T D	Ruehl	Walrath
Conger	Graeff	Mains	Sanders	Weber
Cooley	Hallock	Marson	Scanlon	Weekes
Coons	Halpin	McInerney	Schneider	Wilson H
Cotton	Hanford	McQuade		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2457) entitled "An act to provide for the support and maintenance of the several State prisons, and the Eastern New York Reformatory, and for the ordinary repairs thereof." (Int. No. 264.)

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 94 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	DeGraw	Harburger	Mathews	Ruehl
Adler	Delaney	Hasenflug	McInerney	Sanders
Ahern	Dickey	Hatch	McKeown	Scanlon
Allston	Dooling	Henry	McMillan	Seymour
Axtell	Duross	Hitchcock	Meister	Sherer
Baker	Egan	Honeck	Morgan	Smith J E
Bedell	Ellis	Irwin	Nye	Smith J T
Bell	Fancher	Juengst	O'Connell	Smith S W
Blackwell	Fisher	Kaiser	O'Malley	Smith W H
Bradley	Fitzgerald	Keenan	Patton	Stevens
Brooks	Fitzpatrick	Kelly	Phipps	Sullivan
Bryan	Fowler	Kelsey	Platt	Swarts
Burnett	Galbraith	Knipp	Price	Thorn
Cadin	Gardiner R	Landon	Rainey	Treat
Cook	Gardner C J	Lewis M E	Reilley	Vacheron
Coons	Graeff	Lewis T D	Reynolds	Van Name
Costello	Griffith	Lynn	Rider	Walrath
Coughtry	Halpin	Mansfield	Robinson	Weekes
Darrison	Hanford	Marson	Rogers	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the bill (No. 2456) entitled "An act to amend section 651 of the Penal Code, relative to unlawful interference with electric meters and wires." (Int. No. 1222.)

Said bill having been announced for a third reading,

Mr. Dooling moved that said bill be recommitted to the committee on codes, with instructions to report the same forthwith, amended as follows:

Pages 5 and 6, strike out the whole of paragraph 10.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Dooling, and it was determined in the negative.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 114 }
 { NOES 6 }

Those who voted in the affirmative, were

Adams	Davis	Harburger	McInerney	Rogers
Adler	Delaney	Harris	McKeown	Ross
Ahern	Dickey	Hasenflug	McMillan	Ruehl
Alds	Dickinson	Hatch	McQuade	Salyerds
Allston	Doughty	Hawkins	Morgan	Scanlon
Axtell	Dusinbery	Henry	Nye	Schneider
Babcock	Egan	Hitchcock	O'Brien	Seymour
Baker	Ellis	Holsten	O'Connell	Smith A R
Bedell	Everett	Irwin	O'Malley	Smith J E
Bradley	Fish	Juengst	Orr	Smith J T
Brill	Fisher	Kaiser	Patton	Smith S W
Brooks	Fitzgerald	Keenan	Phipps	Snyder
Bryan	Fitzpatrick	Kelly	Platt	Stevens
Burnett	Fordyce	Kelsey	Price	Sullivan
Burns	Frisbie	Knipp	Prince	Swift
Cadin	Galbraith	Landon	Rainey	Thorn
Conger	Gardiner R	Leggett	Reilley	Traub
Cook	Geoghan	Lewis M E	Remsen	Treat
Cooley	Graeff	Lewis T D	Reynolds	Vacheron
Coons	Griffith	Lynn	Richter	Waite
Coughtry	Hallock	Mains	Rider	Walrath
Daly	Hammond	Mansfield	Rierdon	Wilson H
Darrison	Hanford	Mathews	Rodenbeck	

Those who voted in the negative, were

Bell	Dooling	Hyman	Sanders	Weber
Cotton				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

A message was received from the Senate in the words following:

IN SENATE, *April 12, 1901.*

Pursuant to concurrent resolution of the Senate and Assembly, the Governor returned the Senate bill No. 1403, entitled "An act to repeal chapter 378 of the Laws of 1896, entitled 'An act providing for a special jury in criminal cases in each county of the State having a certain population, and for the mode of selecting and procuring such special juries; also, creating a special jury commissioner for each of such counties, and regulating and prescribing his duties.'" (Rec. No. 40.)

The vote upon the final passage of said bill having been reconsidered,

On motion of Mr. Elsberg, and by unanimous consent, the same was amended as follows:

Page 2, line 10, after the word "jurors" insert the following: "Provided however that assistants or employes of a special commissioner of jurors whose office is abolished by this act may continue in the employment of the commissioner of jurors in the same county until removed.

Said bill as amended, was reprinted, re-engrossed, and having been on the desks of the members three legislative days, was passed and ordered sent to the Assembly for concurrence.

By order of the Senate,

JAMES S. WHIPPLE,

Clerk.

Mr. Morgan moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 99 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Daly	Hatch	Meister	Scanlon
Adler	Delaney	Henry	Nye	Seymour
Ahern	Dickey	Hitchcock	O'Brien	Sherer
Allds	Dickinson	Holsten	Orr	Smith J E
Apgar	Doughty	Honeck	Patton	Smith J L
Axtell	Duross	Hyman	Phipps	Smith S W
Baker	Lusinbery	Juengst	Platt	Smith W H
Baum	Ellis	Kaiser	Poth	Stevens

Bell	Fancher	Keenan	Price	Sullivan
Bennet	Fisher	Kelly	Prince	Swift
Bradley	Fitzgerald	Kelsey	Rainey	Thorn
Brill	Fordyce	Landon	Reilley	Traub
Bruckner	Frisbie	Leggett	Reynolds	Ulmann
Burnett	Gardiner R	Lewis M E	Richter	Vacheron
Burns	Gardner C J	Lynn	Rider	Van Name
Conger	Graeff	Mains	Roberts	Waite
Cook	Griffith	Marson	Robinson	Walrath
Cooley	Halpin	McInerney	Ross	Weekes
Costello	Hanford	McKeown	Ruehl	Wilson H
Cotton	Harris	McQuade	Sanders	

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 104 }
{ NOES 44 }

Those who voted in the affirmative, were

Adams	Coons	Griffith	Nye	Seymour
Adler	Costello	Hallock	O'Brien	Sherer
Ahern	Cotton	Hammond	O'Malley	Smith A R
Allds	Coughtry	Hanford	Orr	Smith J L
Allston	Darrison	Harris	Patton	Smith J T
Apgar	Davis	Hatch	Phillips	Smith S W
Axtell	DeGraw	Henry	Phipps	Smith W H
Babcock	Dickinson	Hitchcock	Plank	Snyder
Baker	Doughty	Irwin	Platt	Stevens
Bedell	Dusinbery	Kelsey	Price	Swarts
Bell	Ellis	Knipp	Rainey	Swift
Bennet	Everett	Landon	Remsen	Thorn
Blackwell	Fancher	Leggett	Reynolds	Traub
Brill	Fish	Lewis M E	Roberts	Treat
Brooks	Fisher	Lewis T D	Robinson	Vacheron
Bryan	Fordyce	Mains	Rodenbeck	Waite
Burnett	Fowler	Mansfield	Rogers	Walrath
Cadin	Galbraith	Marson	Ross	Weber

Conger	Gardiner R	McMillan	Ruehl	Weekes
Cook	Gardner C J	McQuade	Salyerds	Wilson H
Cooley	Graeff	Morgan	Schneider	

Those who voted in the negative, were

Baum	Duross	Hawkins	Mathews	Rider
Bradley	Egan	Holsten	McInerney	Rierdon
Bruckner	Fitzgerald	Honeck	McKeown	Sanders
Burns	Fitzpatrick	Hyman	Meister	Scanlon
Daly	Frisbie	Juengst	O'Connell	Smith J E
Delaney	Geoghan	Kaiser	Poth	Sullivan
Dempsey	Halpin	Keenan	Prince	Ulmann
Dickey	Harburger	Kelly	Reilley	Van Name
Dooling	Hasenflug	Lynn	Richter	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have reconsidered the vote on the final passage of said bill, and as amended, have again passed the same.

Mr. Speaker announced the special order, being the Senate bill (No. 985) entitled "An act to provide for establishing the south boundary line and a portion of the southwest boundary line of the county of St. Lawrence and the south boundary line of the county of Franklin and making an appropriation therefor." (Rec. No. 241.)

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 85 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Darrison	Harburger	Mathews	Sanders
Adler	Delaney	Hasenflug	McKeown	Scanlon
Ahern	Dempsey	Hawkins	McQuade	Seymour
Allston	Dickinson	Hitchcock	Meister	Smith J E
Axtell	Doughty	Honeck	Nye	Smith J T
Babcock	Dusinbery	Irwin	O'Connell	Smith W H

Baker	Ellis	Juengst	Orr	Snyder
Bedell	Fancher	Kaiser	Phipps	Stevens
Bennet	Fisher	Keenan	Plank	Swarts
Bradley	Fitzpatrick	Kelly	Poth	Thorn
Brooks	Fordyce	Kelsey	Prince	Traub
Bryan	Frisbie	Knipp	Reilley	Vacheron
Burnett	Gardiner R	Landon	Reynolds	Van Name
Conger	Gardner C J	Leggett	Rider	Waite
Cooley	Graeff	Lewis T D	Roberts	Weber
Cotton	Hallock	Lynn	Rodenbeck	Weekes
Daly	Hammond	Mansfield	Ruehl	Wilson H

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1258) entitled "An act to amend chapter 59 of the Laws of 1882, entitled 'An act to incorporate the Buffalo Merchants' Exchange,' and the acts amendatory thereof and supplementary thereto." (Rec. No. 379.)

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 100 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Cooley	Halpin	Morgan	Scanlon
Adler	Costello	Hanford	O'Brien	Schneider
Ahern	Cotton	Harris	O'Malley	Sherer
Allds	Daly	Hatch	Patton	Smith A R
Allston	Davis	Henry	Phipps	Smith J E
Apgar	Delaney	Holsten	Plank	Smith J T
Babcock	Dempsey	Hyman	Poth	Smith S W
Baum	Dickey	Juengst	Price	Snyder
Bedell	Dooling	Keenan	Prince	Stevens
Bell	Duross	Kelsey	Reilley	Swarts
Bennet	Egan	Knipp	Reynolds	Thorn
Bradley	Ellis	Leggett	Richter	Traub

Brill	Fancher	Lewis M E	Rierdon	Treat
Brooks	Fisher	Lewis M E	Roberts	Vacheron
Bruckner	Fitzgerald	Lynn	Robinson	Van Name
Bryan	Fordyce	Mansfield	Rodenbeck	Waite
Burnett	Frisbie	Marson	Rogers	Walrath
Burns	Gardiner R	McInerney	Ross	Weber
Cadin	Geoghan	McMillan	Ruehl	Weekes
Cook	Griffith	Meister	Salyerds	Wilson H

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1370) entitled "An act to amend chapter 128 of the Laws of 1899, entitled 'An act to incorporate the city of New Rochelle,' as amended by chapters 462 and 550 of the Laws of 1900." (Rec. No. 387.)

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{	AYES	91	}
{	NOES	00	}

Those who voted in the affirmative, were

Adams	Davis	Hanford	McInerney	Ross
Adler	Delaney	Harris	McMillan	Salyerds
Ahern	Dickey	Hasenflug	McQuade	Scanlon
Allston	Dooling	Hatch	Morgan	Seymour
Apgar	Doughty	Hawkins	Nye	Sherer
Babcock	Dusinbery	Hitchcock	O'Connell	Smith J E
Baum	Egan	Holsten	Orr	Smith J T
Bell	Everett	Irwin	Phillips	Smith W H
Bennet	Fish	Kaiser	Phipps	Stevens
Bradley	Fisher	Keenan	Platt	Swarts
Brill	Fitzpatrick	Kelly	Price	Swift
Bruckner	Fowler	Kelsey	Prince	Traub
Bryan	Galbraith	Landon	Reilley	Vacheron
Burnett	Gardner C J	Lewis M E	Reynolds	Van Name
Cadin	Geoghan	Lewis T D	Richter	Walrath

Cook	Graeff	Lynn	Rierdon	Weber
Costello	Hallock	Mansfield	Robinson	Weekes
Cotton	Hammond	Mathews	Rogers	Wilson H
Daly				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1273) entitled "An act to amend sections 1097, 1099, 1100, 1101 and 1132 of the Code of Civil Procedure, relating to trial jurors in the counties of New York and Kings." (Rec. No. 370.)

Said bill was read the second time.

On motion of Mr. Bennet, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 104 }
{ NOES 44 }

Those who voted in the affirmative, were

Adams	Coons	Griffith	Nye	Seymour
Adler	Costello	Hallock	O'Brien	Sherer
Ahern	Cotton	Hammond	O'Malley	Smith A R
Allds	Coughtry	Hanford	Orr	Smith J L
Allston	Darrison	Harris	Patton	Smith J T
Apgar	Davis	Hatch	Phillips	Smith S W
Axtell	DeGraw	Henry	Phipps	Smith W H
Babcock	Dickinson	Hitchcock	Plank	Snyder
Baker	Doughty	Irwin	Platt	Stevens
Bedell	Dusinbery	Kelsey	Price	Swarts
Bell	Ellis	Knipp	Rainey	Swift
Bennet	Everett	Landon	Remsen	Thorn
Blackwell	Fancher	Leggett	Reynolds	Traub
Brill	Fish	Lewis M E	Roberts	Treat
Brooks	Fisher	Lewis T D	Robinson	Vacheron
Bryan	Fordyce	Mains	Rodenbeck	Waite

Burnett	Fowler	Mansfield	Rogers	Walrath
Cadin	Galbraith	Marson	Ross	Weber
Conger	Gardiner R	McMillan	Ruehl	Weekes
Cook	Gardner C J	McQuade	Salyerds	Wilson H
Cooley	Graeff	Morgan	Schneider	

Those who voted in the negative, were

Baum	Duross	Hawkins	Mathews	Rider
Bradley	Egan	Holsten	McInerney	Rierdon
Bruckner	Fitzgerald	Honeck	McKeown	Sanders
Burns	Fitzpatrick	Hyman	Meister	Scanlon
Daly	Frisbie	Juengst	O'Connell	Smith J E
Delaney	Geoghan	Kaiser	Poth	Sullivan
Dempsey	Halpin	Keenan	Prince	Ulmann
Dickey	Harburger	Kelly	Reilley	Van Name
Dooling	Hasenflug	Lynn	Richter	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

On motion of Mr. Allds, the House took a recess at 1.30 p. m., until 2.30 p. m.

TWO O'CLOCK AND THIRTY MINUTES P. M.

The House again met.

Mr. Speaker announced the special order, being the Senate bill (No. 1392) entitled "An act releasing to the owners of adjoining lands, parts of Albany street, in the city of Buffalo." (Rec. No. 429.)

Said bill was read the second time.

On motion of Mr. O'Malley, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 100 }
 { NOES 00 }

Those who voted in the affirmative, were

Adams	Dooling	Hawkins	Morgan	Schneider
Adler	Dusinbery	Hitchcock	Nye	Seymour
Alds	Egan	Holsten	O'Brien	Sherer
Allston	Ellis	Honeck	O'Malley	Smith J E
Axtell	Everett	Hyman	Orr	Smith J L
Baker	Fish	Juengst	Phillips	Smith S W
Bedell	Fisher	Kaiser	Phipps	Smith W H
Bennet	Fitzpatrick	Keenan	Platt	Snyder
Bradley	Fordyce	Kelsey	Poth	Sullivan
Brooks	Frisbie	Knipp	Prince	Swarts
Bruckner	Galbraith	Leggett	Reilley	Swift
Burnett	Gardiner R	Lewis M E	Remsen	Thorn
Cadin	Gardner C J	Lewis T D	Richter	Treat
Cook	Geoghan	Lynn	Rider	Ulmann
Cooley	Griffith	Mansfield	Rierdon	Vacheron
Costello	Halpin	Marson	Robinson	Waite
Coughtry	Hanford	Mathews	Rogers	Walrath
Darrison	Harris	McKeown	Ross	Weber
Delaney	Hasenflug	McMillan	Salyerds	Weekes
Dickey	Hatch	Meister	Scanlon	Wilson H

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 998) entitled "An act to authorize the construction of a wrought iron or steel bridge over the Erie canal west of the upper Mohawk aqueduct and for the construction of the approaches thereto, and making an appropriation therefor." (Rec. No. 389.)

Said bill was read the second time.

On motion of Mr. Mansfield, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 92 }
 { NOES 00 }

Those who voted in the affirmative, were

Adams	Daly	Holsten	O'Brien	Sanders
Adler	Darrison	Honeck	O'Connell	Scanlon
Allds	DeGraw	Irwin	Orr	Schneider
Allston	Dempsey	Juengst	Patton	Seymour
Apgar	Dickinson	Kaiser	Phipps	Sherer
Axtell	Doughty	Keenan	Plank	Smith J E
Baker	Dusinbery	Kelsey	Poth	Smith J T
Baum	Ellis	Knipp	Price	Smith W H
Bell	Fancher	Leggett	Prince	Stevens
Bennet	Fisher	Lewis T D	Reilley	Swartz
Bradley	Fitzpatrick	Lynn	Remsen	Thorn
Brill	Fowler	Mansfield	Richter	Treat
Bruckner	Galbraith	Marson	Rider	Ulmann
Burnett	Geoghan	Mathews	Roberts	Van Name
Cadin	Griffith	McKeown	Rodenbeck	Walrath
Conger	Hammond	McQuade	Ross	Weber
Cooley	Harburger	Meister	Ruehl	Weekes
Coons	Hatch	Nye	Salyerds	Wilson H
Cotton	Henry			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1324) entitled "An act to amend the Town Law and the acts amendatory thereof, relating to justices of the peace and town clerks." (Rec. No. 376.)

Said bill was read the second time.

On motion of Mr. Patton, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{	AYES	105	}
{	NOES	00	}

Those who voted in the affirmative, were

Adams	Dickey	Hawkins	McQuade	Salyerds
Adler	Dooling	Henry	Meister	Sanders
Ahern	Doughty	Hitchcock	Nye	Schneider
Allds	Dusinbery	Holsten	O'Brien	Seymour
Apgar	Egan	Honeck	O'Malley	Sherer
Babcock	Ellis	Hyman	Orr	Smith J E
Baker	Fancher	Juengst	Phillips	Smith J L
Bell	Fish	Kaiser	Phipps	Smith S W
Bennet	Fitzgerald	Keenan	Plank	Smith W H
Bradley	Fitzpatrick	Kelly	Platt	Snyder
Brooks	Fordyce	Knipp	Price	Sullivan
Bryan	Frisbie	Landon	Prince	Swift
Burnett	Galbraith	Leggett	Rainey	Thorn
Cadin	Gardiner R	Lewis M E	Reilley	Treat
Conger	Geoghan	Lewis T D	Remsen	Ulmann
Cooley	Griffith	Mains	Richter	Vacheron
Coons	Halpin	Mansfield	Rider	Van Name
Daly	Hammond	Marson	Rierdon	Waite
Davis	Harburger	McInerney	Robinson	Weber
DeGraw	Harris	McKeown	Rodenbeck	Weekes
Dempsey	Hasenflug	McMillan	Ross	Wilson H

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1247) entitled "An act to amend section 6 of chapter 133 of the Laws of 1882, relative to collection of taxes levied in the county of Cayuga." (Rec. No. 357.)

Said bill was read the second time.

On motion of Mr. Fordyce, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 112 }
 { NOES 00 }

Those who voted in the affirmative, were

Adams	Coughtry	Hasenflug	Morgan	Scanlon
Adler	Darrison	Hatch	Nye	Schneider
Ahern	Davis	Henry	O'Brien	Seymour
Allds	Delaney	Hitchcock	O'Connell	Sherer
Allston	Dempsey	Holsten	O'Malley	Smith A R
Apgar	Dickinson	Hyman	Orr	Smith J E
Axtell	Doughty	Irwin	Patton	Smith J L
Babcock	Egan	Juengst	Phillips	Smith J T
Baker	Ellis	Kaiser	Phipps	Smith S W
Baum	Fancher	Keenan	Plank	Smith W H
Bedell	Fish	Kelly	Poth	Snyder
Bell	Fitzpatrick	Kelsey	Price	Stevens
Bennet	Fitzgerald	Landon	Rainey	Sullivan
Blackwell	Fowler	Leggett	Reilley	Swarts
Brill	Galbraith	Lewis T D	Reynolds	Thorn
Brooks	Gardner C J	Lynn	Richter	Treat
Bruckner	Geoghan	Mansfield	Rierdon	Vacheron
Burnett	Griffith	Marson	Roberts	Van Name
Burns	Hallock	Mathews	Rodenbeck	Waite
Cadin	Halpin	McInerney	Rogers	Walrath
Cooley	Hammond	McMillan	Ruehl	Weber
Coons	Harburger	Meister	Sanders	Wilson H
Costello	Harris			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1369) entitled "An act to amend section 55 of the Insurance Law in relation to insurance upon the lives of miners." (Rec. No. 433.)

Said bill having been announced for a second reading,

On motion of Mr. Allds, said bill was laid aside, retaining its place on the order of second reading.

Mr. Speaker announced the special order, being the Senate bill (No. 606) entitled "An act to extend the time of the New York State Title Guarantee Company to pay in the remaining two-thirds of its capital stock." (Rec. No. 185).

Said bill having been announced for a second reading,

On motion of Mr. Burnett, said bill was laid aside, retaining its place on the order of second reading.

Mr. Speaker announced the special order, being the Senate bill (No. 1083) entitled "An act to amend the Highway Law being chapter 19 of the general laws." (Rec. No. 276.)

Said bill was read the second time.

On motion of Mr. Sullivan, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 104 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Cotton	Hammond	McQuade	Salyerds
Adler	Coughtry	Harburger	Meister	Sanders
Ahern	Darrison	Harris	Nye	Schneider
Allds	DeGraw	Hasenflug	O'Brien	Seymour
Allston	Dempsey	Hatch	O'Connell	Sherer
Axtell	Dickey	Henry	Orr	Smith A R
Baker	Dooling	Hitchcock	Patton	Smith J L
Baum	Duross	Honeck	Phipps	Smith J T
Bedell	Egan	Hyman	Plank	Smith S W
Bell	Everett	Juengst	Poth	Snyder
Bennet	Fish	Kaiser	Price	Stevens
Blackwell	Fitzgerald	Keenan	Rainey	Sullivan
Bradley	Fitzpatrick	Kelly	Reilley	Swarts
Brill	Fordyce	Knipp	Remsen	Thorn
Bruckner	Galbraith	Landon	Richter	Treat
Bryan	Gardiner R	Lewis M E	Rider	Vacheron
Burns	Gardner C J	Lewis T D	Rierdon	Van Name
Conger	Geoghan	Mains	Roberts	Walrath
Cooley	Griffith	Mansfield	Robinson	Weekes
Coons	Hallock	Mathews	Rogers	Wilson H
Costello	Halpin	McKeown	Ross	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1430) entitled "An act to amend chapter 645 of the Laws of 1898, entitled 'An act in relation to printing in penal institutions in the State.'" (Rec. No. 437.)

Said bill was read the second time.

On motion of Mr. Fordyce, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 117 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Davis	Hatch	McQuade	Ross
Adler	Delaney	Hawkins	Meister	Salyerds
Ahern	Dickey	Hitchcock	Morgan	Scanlon
Alds	Dickinson	Holsten	Nye	Schneider
Allston	Doughty	Honeck	O'Brien	Sherer
Apgar	Duross	Irwin	O'Connell	Smith A R
Babcock	Egan	Juengst	Orr	Smith J L
Baker	Ellis	Kaiser	Patton	Smith J T
Bedell	Fancher	Keenan	Phillips	Smith S W
Bell	Fish	Kelly	Phipps	Snyder
Blackwell	Fitzgerald	Kelsey	Plank	Stevens
Bradley	Fitzpatrick	Knipp	Platt	Sullivan
Brill	Fordyce	Landon	Poth	Swift
Bruckner	Frisbie	Leggett	Price	Thorn
Bryan	Galbraith	Lewis M E	Rainey	Traub
Burnett	Gardiner R	Lewis T D	Reilley	Treat
Cadin	Gardner C J	Lynn	Remsen	Vacheron
Conger	Graeff	Mains	Reynolds	Van Name
Cook	Griffith	Mansfield	Richter	Waite
Cooley	Hallock	Marson	Rider	Walrath
Coons	Hammond	Mathews	Roberts	Weber
Cotton	Hanford	McInerney	Robinson	Weekes
Coughtry	Harburger	McMillan	Rogers	Wilson H
Darrison	Hasenflug			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1385) entitled "An act to amend the Agricultural Law, entitled 'An act in relation to agriculture, constituting articles 1, 2, 3, 4 and 5 of chapter 33 of the general laws', as amended by chapter 113 of the Laws of 1898, to prevent fraud in the sale of paris green." (Rec. No. 404.)

Said bill was read the second time.

On motion of Mr. S. W. Smith, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

}	AYES 110	}
}	NOES 00	}

Those who voted in the affirmative, were

Adams	Cooley	Gardiner R	Lewis T D	Robinson
Adler	Coons	Geoghan	Mains	Rogers
Allds	Costello	Griffith	Mansfield	Ruehl
Allston	Coughtry	Hallock	Marson	Sanders
Apgar	Daly	Hammond	McInerney	Schneider
Axtell	Darrison	Hanford	McKeown	Sherer
Babcock	Davis	Harris	McQuade	Smith A R
Baum	Delaney	Hasenflug	Meister	Smith J E
Bedell	Dempsey	Hatch	Nye	Smith J L
Bell	Dickinson	Henry	O'Brien	Smith S W
Bennet	Dooling	Hitchcock	O'Malley	Smith W H
Blackwell	Duross	Honeck	Orr	Snyder
Bradley	Egan	Hyman	Phillips	Sullivan
Brill	Ellis	Irwin	Phipps	Swarts
Brooks	Fancher	Juengst	Platt	Thorn
Bruckner	Fish	Kaiser	Poth	Traub
Bryan	Fitzgerald	Keenan	Price	Ulmann
Burnett	Fitzpatrick	Kelly	Prince	Van Name

Burns	Fordyce	Kelsey	Reilley	Waite
Cadin	Fowler	Knipp	Reynolds	Weber
Conger	Frisbie	Leggett	Rider	Weekes
Cook	Galbraith	Lewis M E	Roberts	Wilson H

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1473) entitled "An act to incorporate the Inebriates' Home for New York city, and to provide funds for the maintenance thereof." (Rec. No. 444.)

Said bill was read the second time.

On motion of Mr. Sanders, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 107 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Coons	Hammond	McInerney	Ross
Adler	Coughtry	Harburger	McKeown	Salyerds
Ahern	Daly	Harris	McMillan	Sanders
Allds	Davis	Hatch	McQuade	Scanlon
Allston	DeGraw	Hawkins	Morgan	Seymour
Apgar	Dempsey	Hitchcock	Nye	Sherer
Axtell	Dickinson	Holsten	O'Brien	Smith J E
Babcock	Dooling	Honeck	O'Connell	Smith J L
Baker	Duross	Irwin	Orr	Smith S W
Baum	Egan	Juengst	Phillips	Smith W H
Bedell	Ellis	Kaiser	Phipps	Stevens
Bell	Fancher	Keenan	Platt	Sullivan
Bennet	Fish	Kelsey	Poth	Swift
Blackwell	Fitzgerald	Knipp	Price	Thorn
Brill	Fordyce	Landon	Rainey	Treat
Brooks	Frisbie	Leggett	Reilley	Ulmann

Bruckner	Gardiner R	Lewis T D	Reynolds	Van Name
Burnett	Gardner C J	Lynn	Rider	Waite
Burns	Graeff	Mains	Rierdon	Weber
Cadin	Griffith	Mansfield	Robinson	Weekes
Cook	Hallock	Mathews	Rogers	Wilson H
Cooley	Halpin			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1429) entitled "An act to amend chapter 171 of the Laws of 1901, entitled 'An act to amend chapter 451 of the Laws of 1899, entitled 'An act to enable persons who have deposited money in a bank and have lost the certificate, or the same has been destroyed, to draw the money due thereon,' relating to the satisfaction and discharge of bonds or undertakings given to secure the payment of such certificates." (Rec. No. 430.)

Said bill was read the second time.

On motion of Mr. DeGraw, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 92 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Coughtry	Hallock	Mansfield	Rierdon
Ahern	Daly	Halpin	Mathews	Robinson
Allds	Davis	Hanford	McKeown	Rogers
Allston	Delaney	Harburger	McQuade	Ruehl
Axtell	Dempsey	Hasenflug	Morgan	Sanders
Baker	Dickinson	Hatch	Nye	Schneider
Baum	Dooling	Hawkins	O'Brien	Seymour
Bedell	Duross	Hitchcock	O'Malley	Sherer
Bennet	Dusinbery	Honeck	Orr	Smith J L

Blackwell	Ellis	Hyman	Patton	Smith S W
Bradley	Fancher	Irwin	Phipps	Snyder
Brooks	Fish	Kaiser	Plank	Sullivan
Bryan	Fitzgerald	Keenan	Poth	Swift
Burns	Fitzpatrick	Kelsey	Price	Traub
Cadin	Fowler	Landon	Prince	Ulmann
Conger	Galbraith	Lewis M E	Reilley	Van Name
Cook	Gardiner R	Lynn	Reynolds	Walrath
Coons	Geoghan	Mains	Rider	Weekes
Cotton	Graeff			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 450) entitled "An act to amend chapter 309 of the Laws of 1898, beng an act entitled 'An act in relation to the compensation of justices of the Supreme Court designated to the Appellate Division of the Second Department, from any district other than the Second Judicial District.'" (Rec. No. 330.)

Said bill was read the second time.

On motion of Mr. Apgar, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{	AYES	95	}
{	NOES	00	}

Those who voted in the affirmative, were

Adams	Daly	Hammond	Mansfield	Rodenbeck
Adler	Davis	Hanford	Mathews	Ross
Ahern	DeGraw	Harris	McInerney	Salyerds
Allston	Dempsey	Hatch	McMillan	Scanlon
Axtell	Dickey	Hawkins	McQuade	Seymour
Babcock	Dooling	Hitchcock	Morgan	Smith A R
Baum	Doughty	Honeck	Nye	Smith J L
Bell	Dusinbery	Hyman	O'Connell	Smith J L

Blackwell	Egan	Irwin	Orr	Smith W H
Bradley	Everett	Juengst	Patton	Stevens
Brill	Fish	Kaiser	Phipps	Swarts
Bruckner	Fitzgerald	Keenan	Plank	Thorn
Bryan	Fordyce	Kelly	Poth	Traub
Burnett	Frisbie	Kelsey	Prince	Ulmann
Cadin	Galbraith	Knipp	Reilley	Van Name
Conger	Gardiner R	Leggett	Remsen	Walrath
Cooley	Geoghan	Lewis M E	Richter	Weber
Costello	Graeff	Lynn	Rierdon	Weekes
Coughtry	Hallock	Mains	Robinson	Wilson H

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1079) entitled "An act to amend section 100 of the Railroad Law, in relation to motive power of street surface railroads in the counties of Herkimer and Hamilton." (Rec. No. 283.)

Said bill having been announced for a second reading,

On motion of Mr. Burnett, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 98 }
{ NOES 8 }

Those who voted in the affirmative, were

Adams	Coughtry	Hammond	McInerney	Sanders
Adler	Darrison	Hanford	McKeown	Scanlon
Ahern	DeGraw	Harris	McQuade	Seymour
Allds	Dempsey	Hasenflug	Morgan	Smith A R
Apgar	Dickinson	Hawkins	O'Brien	Smith J E
Axtell	Dooling	Hitchcock	O'Connell	Smith J T
Baker	Doughty	Honeck	O'Malley	Smith S W
Baum	Dusinbery	Hyman	Patton	Snyder
Bedell	Ellis	Irwin	Phipps	Stevens

Bell	Fancher	Juengst	Platt	Swarts
Blackwell	Fisher	Kaiser	Price	Swift
Bradley	Fitzgerald	Keenan	Prince	Thorn
Brill	Fitzpatrick	Kelly	Reilley	Traub
Brooks	Fowler	Knipp	Reynolds	Ulmann
Bruckner	Frisbie	Landon	Rider	Vacheron
Burnett	Gardiner R	Lewis M E	Rierdon	Waite
Cadin	Gardner C J	Lewis T D	Robinson	Weber
Conger	Geoghan	Mains	Rogers	Weekes
Coons	Griffith	Mansfield	Ruehl	Wilson H
Costello	Hallock	Marson		

Those who voted in the negative, were

Bryan	Cooley	Duross	Holsten	Van Name
Cook	Davis	Henry		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1316) entitled "An act to enable any person or persons whose rights have been impaired by the action of any municipality in the State in derogation of its grant or covenant to bring an action." (Rec. No. 411.)

Said bill having been announced for a second reading,

On motion of Mr. Bedell, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 107 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Dempsey	Hasenflug	McInerney	Salverds
Adler	Dickinson	Henry	McKeown	Schneider
Allds	Doughty	Hitchcock	McMillan	Seymour
Allston	Dusinbery	Holsten	Meister	Sherer

Apgar	Egan	Honeck	Nye	Smith J E
Babcock	Ellis	Hyman	O'Brien	Smith J T
Baker	Fancher	Irwin	O'Malley	Smith S W
Bedell	Fish	Juengst	Orr	Snyder
Bennet	Fisher	Kaiser	Plank	Stevens
Blackwell	Fitzgerald	Keenan	Poth	Sullivan
Brill	Fordyce	Kelly	Price	Swift
Brooks	Fowler	Kelsey	Prince	Thorn
Bryan	Frisbie	Knipp	Rainey	Treat
Burnett	Galbraith	Landon	Remsen	Ulmann
Cadin	Gardiner R	Leggett	Reynolds	Vacheron
Conger	Geoghan	Lewis T D	Richter	Van Name
Cook	Griffith	Lynn	Rierdon	Waite
Coons	Hallock	Mains	Roberts	Walrath
Costello	Halpin	Mansfield	Rodenbeck	Weber
Coughtry	Hanford	Marson	Rogers	Weekes
Darrison	Harburger	Mathews	Ruehl	Wilson H
DeGraw	Harris			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1381) entitled "An act to amend chapter 478 of the Laws of 1893, entitled 'An act to incorporate the city of Olean,' and the acts amendatory thereof." (Rec. No. 414.)

Said bill was read the second time.

On motion of Mr. Plank, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 115 }
 } NOES 00 }

Those who voted in the affirmative, were

Adams	Daly	Hanford	McInerney	Robinson
Adler	Darrison	Harburger	McKeown	Rodenbeck
Ahern	DeGraw	Hasenflug	McMillan	Rogers

Allds	Delaney	Hatch	Meister	Ruehl
Allston	Dempsey	Henry	Morgan	Salyerds
Apgar	Dickinson	Hitchcock	Nye	Sanders
Babcock	Dooling	Holsten	O'Brien	Scanlon
Baker	Doughty	Honeck	O'Connell	Schneider
Baum	Duross	Irwin	O'Malley	Seymour
Bedell	Dusinbery	Kaiser	Orr	Smith A R
Bennet	Ellis	Keenan	Patton	Smith J E
Bradley	Fancher	Kelly	Phillips	Snyder
Brill	Fish	Kelsey	Phipps	Sullivan
Brooks	Fitzgerald	Knipp	Platt	Swarts
Bruekner	Fitzpatrick	Landon	Poth	Swift
Bryan	Fowler	Leggett	Price	Treat
Baum	Frisbie	Lewis T D	Prince	Vacheron
Cadin	Gardiner R	Mains	Rainey	Van Name
Cook	Gardner C J	Mansfield	Reilley	Waite
Cooley	Graeff	Marson	Reynolds	Walrath
Coons	Griffith	Mathews	Richter	Weber
Costello	Halpin	Smith J T	Rider	Weekes
Coughtry	Hanford	Smith S W	Rierdon	Wilson H

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1393) entitled "An act to amend the State Finance Law, relating to the deposit of State moneys." (Rec. No. 407.)

Said bill was read the second time.

On motion of Mr. Allds, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 91 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Coughtry	Hanford	Mathews	Rogers
Adler	Darrison	Harris	McKeown	Ruehl
Ahern	DeGraw	Hasenflug	McMillan	Sanders

Allds	Dempsey	Hatch	McQuade	Scanlon
Allston	Dickinson	Henry	Morgan	Schneider
Axtell	Doughty	Holsten	O'Brien	Sherer
Babcock	Dusinbery	Honeck	O'Malley	Smith J E
Baker	Ellis	Irwin	Orr	Smith J T
Bedell	Everett	Juengst	Phillips	Smith W H
Bell	Fancher	Kaiser	Plank	Stevens
Bennet	Fisher	Keenan	Poth	Sullivan
Bradley	Fitzpatrick	Kelly	Price	Swift
Brooks	Fowler	Kelsey	Prince	Traub
Bruckner	Galbraith	Knipp	Reilley	Ulmann
Burnett	Gardner C J	Leggett	Reynolds	Vacheron
Cadin	Graeff	Lewis T D	Rider	Waite
Cook	Hallock	Lynn	Roberts	Weber
Coons	Halpin	Mansfield	Robinson	Weekes
Costello				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1238) entitled "An act to amend section 2632 of the Code of Civil Procedure, in relation to the record of certain wills." (Rec. No. 403.)

Said bill was read the second time.

On motion of Mr. S. W. Smith, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 100 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Delaney	Hasenflug	Mathews	Ruehl
Adler	Dickey	Hawkins	McKeown	Salyerds
Allds	Dooling	Hitchcock	McQuade	Scanlon
Allston	Doughty	Holsten	Meister	Schneider

Axtell	Duross	Honeck	Nye	Seymour
Baker	Egan	Irwin	O'Connell	Sherer
Bell	Ellis	Juengst	Orr	Smith A R
Bennet	Fancher	Kaiser	Phillips	Smith J L
Blackwell	Fisher	Keenan	Phipps	Smith J T
Brill	Fitzpatrick	Kelly	Platt	Smith W H
Brooks	Fordyce	Kelsey	Poth	Snyder
Bryan	Frisbie	Knipp	Prince	Sullivan
Burns	Galbraith	Landon	Rainey	Swarts
Conger	Gardner C J	Leggett	Remsen	Thorn
Cook	Graeff	Lewis M E	Richter	Treat
Coons	Griffith	Lewis T D	Rider	Vacheron
Cotton	Hallock	Lynn	Rierdon	Waite
Daly	Hammond	Mains	Robinson	Weber
Darrison	Hanford	Mansfield	Rodenbeck	Weekes
DeGraw	Harris	Marson	Ross	Wilson H

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Fowler offered for the consideration of the House, a resolution in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill No. 2069, entitled "An act to amend the Penal Code and the Code of Criminal Procedure, in relation to the use of sidewalks" (Int. No. 553), for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

The Senate returned the concurrent resolution recalling from the Governor, for the purpose of amendment, Assembly bill No. 2069, entitled "An act to amend the Penal Code and the Code of Criminal Procedure, in relation to the use of sidewalks" (Int. No. 553), with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

Mr. R. Gardiner offered for the consideration of the House, a resolution in the words following:

Resolved (if the Senate concur), That a respectful message be

sent to the Governor, requesting the return to the Assembly of Assembly bill No. 1489, entitled "An act to amend the Poor Law, relative to poor persons owning real or personal property" (Int. No. 947), for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

The Senate returned the concurrent resolution recalling from the Governor, for the purpose of amendment, Assembly bill No. 1489, entitled "An act to amend the Poor Law, relative to poor persons owning real or personal property" (Int. No. 947), with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

Mr. Walrath offered for the consideration of the House, a resolution in the words following:

Resolved (if the Senate concur), That Assembly bill No. 1410, entitled "An act providing for the construction of a steel bridge over the Otsquago creek on State lands adjacent to the Erie canal aqueduct No. 11, in the town of Minden, Montgomery county, and the necessary repairs to the existing abutments and approaches thereto, and making an appropriation therefor" (Int. No. 413), be returned to the Governor.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

The Senate returned the concurrent resolution ordering the return to the Governor of Assembly bill No. 1410, entitled "An act providing for the construction of a steel bridge over the Otsquago creek on State lands adjacent to the Erie canal aqueduct No. 11, in the town of Minden, Montgomery county, and the necessary repairs to the existing abutments and approaches thereto, and making an appropriation therefor" (Int. No. 413), with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said bill to the Governor.

Mr. Patton offered for the consideration of the House, a resolution in the words following:

Resolved (if the Senate concur), That Assembly bill No. 26, entitled "An act authorizing the construction of a steel bridge and abutments and approaches thereto over the canal slip from the Erie canal to the Niagara river on North Niagara street, in the village of Tonawanda, Erie county, N. Y., together with the adjacent canal retaining walls and making an appropriation therefor" (Int. No. 26), be returned to the Governor.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate returned the concurrent resolution ordering the return to the Governor of Assembly bill No. 26, entitled "An act authorizing the construction of a steel bridge and abutments and approaches thereto over the canal slip from the Erie canal to the Niagara river on North Niagara street, in the village of Tonawanda, Erie county, N. Y., together with the adjacent canal retaining walls and making an appropriation therefor" (Int. No. 26), with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said bill to the Governor.

Mr. Hitchcock offered for the consideration of the House, a resolution in the words following:

Resolved (if the Senate concur), That Assembly bill No. 732, entitled "An act providing for the construction of a new steel bridge across the Glens Falls feeder in the town of Queensbury, Warren county, and for the repair of the existing abutments and the approaches thereto, and making an appropriation therefor" (Int. No. 656), be returned to the Governor.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

The Senate returned the concurrent resolution ordering the return to the Governor of Assembly bill No. 732, entitled "An act providing for the construction of a new steel bridge across the Glens Falls feeder in the town of Queensbury, Warren

county, and for the repair of the existing abutments and the approaches thereto, and making an appropriation therefor" (Int. No. 656), with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK—EXECUTIVE CHAMBER,
ALBANY, *April 17, 1901.*

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill No. 1489, entitled "An act to amend the Poor Law, relative to poor persons owning real or personal property." (Int. No. 947.)

B. B. ODELL, JR.

Also, the following:

STATE OF NEW YORK—EXECUTIVE CHAMBER,
ALBANY, *April 17, 1901.*

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill No. 2069, entitled "An act to amend the Penal Code and the Code of Criminal Procedure, in relation to the use of sidewalks." (Int. No. 553.)

B. B. ODELL, JR.

Also, the following:

STATE OF NEW YORK—EXECUTIVE CHAMBER,
ALBANY, *April 16, 1901.*

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill No. 1410, entitled "An act providing for the construction of a steel bridge over the Otsquago creek on State lands adjacent to the Erie canal aqueduct No. 11, in the town of Minden, Montgomery county, and the necessary repairs to the existing abutments and approaches thereto, and making an appropriation therefor." (Int. No. 413.)

B. B. ODELL, JR.

Also, the following:

STATE OF NEW YORK—EXECUTIVE CHAMBER,
ALBANY, April 16, 1901.

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill No. 26, entitled "An act authorizing the construction of a steel bridge and abutments and approaches thereto over the canal slip from the Erie canal to the Niagara river on North Niagara street, in the village of Tonawanda, Erie county, N. Y., together with the adjacent canal retaining walls and making an appropriation therefor." (Int. No. 26.)

B. B. ODELL, JR.

Also, the following:

STATE OF NEW YORK—EXECUTIVE CHAMBER,
ALBANY, April 16, 1901.

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill No. 2040, entitled "An act making an appropriation for the Western House of Refuge for Women." (Int. No. 1103.)

B. B. ODELL, JR.

Also, the following:

STATE OF NEW YORK—EXECUTIVE CHAMBER,
ALBANY, April 16, 1901.

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill No. 732, entitled "An act providing for the construction of a new steel bridge across the Glens Falls feeder in the town of Queensbury, Warren county, and for the repair of the existing abutments and the approaches thereto, and making an appropriation therefor." (Int. No. 656.)

B. B. ODELL, JR.

Also, the following:

STATE OF NEW YORK—EXECUTIVE CHAMBER,
ALBANY, April 16, 1901.

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill No. 1510, entitled "An act to amend chapter 322 of the Laws of 1850, entitled 'An act to incorporate the fire department of the village of

Watertown,' in relation to the officers of the department, the powers of the directors, and changing the name thereof." (Int. No. 1172.)

B. B. ODELL, JR.

The Senate returned the Senate bill (No. 482, Assembly reprint No. 1982) entitled "An act to amend chapter 326 of the Laws of 1895, entitled 'An act to provide for the incorporation of associations for lending money on personal property, and to forbid certain loans of money, property or credit,' (Rec. No. 61), with a message that they have agreed to the report of the committee of conference thereon, in the words following:

Mr. Hill, from the committee of conference, presented the following report:

To the Legislature:

The undersigned, appointed by the Senate and Assembly as a committee of conference relative to the matters of difference arising between the two Houses upon the Assembly bill No. 1982 (Senate bill No. 482) entitled "An act to amend chapter 326 of the Laws of 1895, entitled 'An act to provide for the incorporation of associations for lending money on personal property,' and to forbid certain loans of money, property or credit."

Report that they have duly conferred upon said matters, and request that they be discharged from the further consideration of such bill and recommend that the Senate concur in the Assembly Amendments to said bill.

L. H. HUMPHREY,
HENRY W. HILL,
JOSEPH WAGNER.
JOHN K. PATTON,

Ordered, That the Clerk return said bill to the Senate.

The Senate returned the Senate bill (No. 482, Assembly reprint No. 1982) entitled "An act to amend chapter 326 of the Laws of 1895, entitled 'An act to provide for the incorporation of associations for lending money on personal property,' and to forbid certain loans of money, property or credit" (Rec. No. 61), with a message that they have concurred in the amendments of the Assembly made thereto.

Ordered, That the Clerk return said bill to the Senate.

The Senate returned the following entitled bills, with a message that they have concurred in the passage of the same.

"An act for the sale of the lands described in a certain deed

made by Stephen B. Munn and wife to William H. Munn, as trustee." (No. 2185, Int. No. 1164.)

"An act to amend the Forest, Fish and Game Law, relating to definitions." (No. 800, Int. No. 704.)

Ordered, That the Clerk deliver said bills to the Governor.

"An act in relation to the construction, maintenance or operation of railways on Cropsey avenue between Fourteenth avenue and Twenty-fourth avenue in the borough of Brooklyn, city of New York." (No. 1436, Int. No. 1128.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

"An act to amend the Insurance Law, relative to limitation of risk." (No. 2168, Int. No. 1306.)

"An act to amend section 522 of the Code of Civil Procedure, relative to denial of allegations of copartnership." (No. 1621, Int. No. 675.)

"An act to amend chapter 486 of the Laws of 1869, entitled 'An act to incorporate the village of McGrawville, Cortland county', in regard to street commissioner and fire department." (No. 2257, Int. No. 1320.)

"An act to reappropriate certain unexpended balances of former appropriations." (No. 1542, Int. No. 1221.)

"An act to amend section 31 of chapter 559 of the Laws of 1895 known as the "Membership Corporations Law," in relation to membership in corporations formed for the purpose of gathering and procuring information and intelligence for the use and benefit of its members." (No. 2424, Int. No. 1622.)

"An act to amend the State Finance Law, relative to itemized and monthly accounts of public officers." (No. 2306, Int. No. 1218.)

"An act to provide for the construction of a bridge over Cattaraugus creek on the Cattaraugus Indian Reservation, and making an appropriation therefor." (No. 2034, Int. No. 629.)

"An act to amend sections 812, 2600 and 2601 of the Code of Civil Procedure, relating to bonds and undertakings." (No. 2068, Int. No. 201.)

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the bill (No. 2458) entitled "An act to amend chapter 249 of the Laws of 1893, entitled 'An act to incorporate the Pythian Home,' in relation to the disposition of the

fund" (Int. No. 1192), with a message that they have reconsidered their vote by which said bill passed, and as amended have again passed the same.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the following entitled bills, with a message that they have concurred in the passage of the same:

"An act to expedite requisitions for certifying copies of instruments of record in the office of the register of the county of New York." (No. 2445, Int. No. 1638.)

"An act to provide for the construction of a new iron bridge over the Oswego canal at North Salina street in the city of Syracuse, and making an appropriation therefor." (No. 2372, Int. No. 1601.)

"An act authorizing John J. Cunningham and Campbell W. Adams to construct and maintain a dam across the Hudson river in Warren county." (No. 2499, Int. No. 1662.)

Ordered, That the Clerk deliver said bills to the Governor.

"An act to provide for a board of water commissioners in the city of Watervliet and a proper supply of water for public purposes for said city." (No. 1115, Int. No. 403.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Watervliet.

"An act to authorize school district No. 14 of the town of Rotterdam, Schenectady county, to borrow money and issue the bonds of said district therefor, for the purpose of defraying the expense of completing the schoolhouse in said district." (No. 1761, Int. No. 1317.)

Ordered, That the Clerk deliver said bill to the Governor.

"An act to authorize the construction and maintenance of a public market or markets in the city of Rochester, and the location and acquisition of grounds therefor, and to provide for the maintenance thereof." (No. 2326, Int. No. 1580.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Rochester.

"An act to amend title 16, chapter 8, part 3, of the Revised Statutes, relative to proceedings for the drainage of swamps, marshes and other low or wet lands, and for draining farm lands." (No. 2218, Int. No. 426.)

Ordered, That the Clerk deliver said bill to the Governor.

"An act to legalize and confirm the official acts of James F. McGee, a commissioner of deeds of the city of New York." (No. 2297, Int. No. 1570.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

"An act to authorize and direct the State Board of Law Examiners to permit John W. Browne to take the bar examination of said board of examiners upon producing and filing certain certificates and proofs with said board." (No. 1940, Int. No. 1395.)

Ordered, That the Clerk deliver said bill to the Governor.

"An act to establish an hospital for the city of Lockport, to be known as the City Hospital, and to provide for the erection, government and maintenance thereof, and to repeal chapter 422 of the Laws of 1900." (No. 2199, Int. No. 1522.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Lockport.

"An act to amend section 269 of the Code of Civil Procedure, relative to judgments of the Court of Claims." (No. 1588, Int. No. 1217.)

Ordered, That the Clerk deliver said bill to the Governor.

"An act authorizing the audit and allowance of claims against the city of New York for expenses in connection with the contest of certain judgments against the city of New York." (No. 1428, Int. No. 1120.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

"An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Wilbur K. Mathews against the State, for alleged damages sustained by him by reason of the vesting of title in the State of New York to certain real estate, situate in the Twenty-fourth ward of the borough of the Bronx, New York city, N. Y." (No. 2251, Int. No. 1542.)

Ordered, That the Clerk deliver said bill to the Governor.

"An act relating to the discontinuance of proceedings for the improvement of certain streets in the Thirtieth ward of the late city of Brooklyn." (No. 2123, Int. No. 1488.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

"An act to incorporate the trustees of the Eastern Star Hall and Home Association." (No. 1372, Int. No. 853.)

Ordered, That the Clerk deliver said bill to the Governor.

"An act authorizing the board of estimate and apportionment of the city of New York, to audit and allow the claim of Charles Coyle against such city for services alleged to have been rendered as subpoena clerk in the court of special sessions of such city, and to provide for the payment of such claim." (No. 2077, Int. No. 1321.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

"An act to amend chapter 671 of the Laws of 1892, entitled 'An act to revise, consolidate and amend the several acts relating to the government of the city of Cohoes,' in relation to the powers of the common council of said city." (No. 2102, Int. No. 1390.)

"An act to amend chapter 671 of the Laws of 1892, entitled 'An act to revise, consolidate and amend the several acts relating to the government of the city of Cohoes,' relating to the term of office of supervisors." (No. 2128, Int. No. 1336.)

Ordered, That the Clerk transmit certified copies thereof to the mayor of the city of Cohoes.

"An act providing for a channel approach to the lock at the State dam on the Saranac river and for the completion of said lock and making an appropriation therefor." (No. 1647, Int. No. 1249.)

Ordered, That the Clerk deliver said bill to the Governor.

"An act to amend chapter 105 of the Laws of 1891, entitled 'An act to revise the charter of the city of Buffalo,' and the several acts amendatory thereof and supplemental thereto, in relation to the payment of pensions to matrons of the police force." (No. 2350, Int. No. 1499.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Buffalo.

"An act to amend the Highway Law, in relation to the decision of commissioners appointed to determine the necessity of laying out a highway." (No. 880, Int. No. 769.)

"An act to amend the Code of Criminal Procedure, in relation to the commitment of vagrants." (No. 1549, Int. No. 52.)

"An act to amend the Insurance Law, relating to the distribution of the tax paid by agents of foreign fire insurance corporations to fire departments." (No. 1599, Int. No. 313.)

Ordered, That the Clerk deliver said bills to the Governor.

A communication was received from Hon. Geo. A. Carnahan, mayor of the city of Rochester, returning Assembly bill No. 134, entitled "An act to enable the commissioner of public safety of the city of Rochester, to rehear and determine the charges against Nicholas P. Oldfield, formerly a captain of Chemical Company No. 1 in the fire department of said city" (Int. No. 134), with a message that said mayor and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. J. Emil Johnson, mayor of the city of Jamestown, returning Assembly bill No. 1860, entitled "An act to amend chapter 84 of the Laws of 1886, entitled 'An act to incorporate the city of Jamestown,' relative to the cost of paving, etc." (Int. No. 1182), with a message that said mayor and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. J. Emil Johnson, mayor of the city of Jamestown, returning Assembly bill No. 2097, entitled "An act to amend chapter 429 of the Laws of 1897, entitled 'An act to provide for the proper observance of Memorial day in the city of Jamestown, and to authorize the common council of said city to make an annual appropriation for that purpose,' by providing for the perpetual care of the soldiers' plot in the cemeteries of said city" (Int. No. 1283), with a message that said mayor and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Geo. A. Carnahan, mayor of the city of Rochester, returning Assembly bill No. 1862, entitled "An act to amend chapter 614 of the Laws of 1887, entitled 'An act to establish a police pension fund for the city of Rochester,' relative to computing the term of service of members of the police force" (Int. No. 1259), with a message that said

mayor and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Geo. A. Carnahan, mayor of the city of Rochester, returning Assembly bill No. 1893, entitled "An act to validate an ordinance passed by the common council of the city of Rochester, providing for the improvement of Portland avenue from Clifford street to Norton street, and assessing the cost thereof partly upon the abutting owners and partly upon the tracks, ties, rails, switches, franchises, easements, and other surface railroad property situated upon said avenue between said streets" (Int. No. 1358), with a message that said mayor and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. H. A. Caswell, mayor of the city of Rome, returning Assembly bill No. 2008, entitled "An act to amend section 2 of title 2 of chapter 25 of the Laws of 1870, entitled 'An act to incorporate the city of Rome, relating to the election and appointment of city and ward officers'" (Int. No. 1436), with a message that said mayor and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Robert A. Van Wyck, mayor of the city of New York, returning Assembly bill No. 980, entitled "An act authorizing the board of estimate and apportionment of the city of New York to audit and allow, and also authorizing the comptroller of the city of New York to pay to Joseph H. Garvey compensation for services actually rendered to the city of New York in the department of public charities in the year 1899, pending the preparation of municipal civil service lists for the position of superintendent of Bellevue Hospital dispensary" (Int. No. 845), with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Robert A. Van Wyck, mayor of the city of New York, returning Assembly bill

No. 1849, entitled "An act authorizing the board of estimate and apportionment of the city of New York to audit and allow, and also authorizing the comptroller of the city of New York to pay Denis O'Sullivan compensation for his work, labor and services actually rendered to the city of New York, as stenographer in the municipal court of the city of New York, borough of Manhattan, fifth district, from the 10th day of August to the 16th day of October, 1899" (Int. No. 1344), with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

On request of Mr. Conger, the bill (No. 2376) entitled "An act to amend the Domestic Commerce Law, in relation to the size of apple, pear, quince and potato barrels" (Rec. No. 194), was referred to the committee on rules for the purpose of making the said bill a special order on reading.

On request of Mr. Leggett the bill (No. 2547) entitled "An act to amend section 154 of chapter 143 of the Laws of 1892, entitled 'An act to incorporate the city of Niagara Falls, etc.,' relative to issuing bonds by the board of education and their payment" (Int. No. 1676), was referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

On request of Mr. Hatch, the bill (No. 2473) entitled "An act to amend the General Municipal Law, relative to the passage of ordinance relating to children upon the public streets during certain hours of the night" (Int. No. 848), was referred to the committee on rules for the purpose of making said bill a special order on third reading.

On request of Mr. Seymour, the bill (No. 2568) entitled "An act to authorize the New York and London Trust Company to increase the number of its directors" (Int. No. 1693), was referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

On request of Mr. M. E. Lewis, the bill (No. 2550) entitled "An act to authorize and empower the city of Rochester to enter into a contract with the Rochester Railway Company, adjusting and settling all differences between the city and said railway company as to the amount due and owing from the company to the

city for certain pavements heretofore made by the city pursuant to section 98 of the Railroad Law, and providing for the payment of the same" (Int. No. 1679), was referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

On request of Mr. M. E. Lewis, the bill (No. 2567) entitled "An act to amend the Tax Law in relation to the taxation of trust companies" (Int. No. 1692), was referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

On request of Mr. M. E. Lewis, the bill (No. 2556) entitled "An act to amend chapter 14 of the Laws of 1880, entitled 'An act to further amend chapter 143 of the Laws of 1861, entitled An act to amend and consolidate the several acts in relation to the charter of the city of Rochester, and to consolidate therewith the several acts in relation to the charter of said city,' relative to expenses incident to improvements" (Int. No. 1648), was referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

On request of Mr. Price, the bill (No. 1411) entitled "An act to authorize the board of public improvements of the city of New York to lay out, open and construct a street, road, from the present easterly terminus of the Eastern parkway, etc." (Int. No. 619), was referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

On request of Mr. Fish, he bill (No. 2557) entitled "An act to amend the Insurance Law relating to title and credit guaranty corporations" (Int. No. 1683), was referred to the committee on rules for the purpose of making said bill a special order on second and third reading, Friday, April 19th.

On request of Mr. Fancher, the Senate bill (No. 1310) entitled "An act to provide for the reimbursements of the expenses and disbursements paid and incurred by the several justices of the Supreme Court" (Rec. No. 469), was referred to the committee on rules, for the purpose of making said bill a special order on reading.

On request of Mr. Bedell, the Senate bill (No. 1417) entitled "An act to amend section 180 of the Tax Law by reducing the organization tax" (Rec. No. 427), was referred to the committee

on rules, for the purpose of making said bill a special order on reading.

On request of Mr. Wilson, the Senate bill (No. 606) entitled "An act to extend the time of the New York State Title Guarantee Company to pay in the remaining two-thirds of its capital stock" (Rec. No. 185), was referred to the committee on rules, for the purpose of making said bill a special order on second and third reading.

On request of Mr. Fitzgerald, the Senate bill (No. 1369) entitled "An act to amend section 55 of the Insurance Law, in relation to insurance upon the lives of minors" (Rec. No. 433), was referred to the committee on rules, for the purpose of making said bill a special order on second reading.

On request of Mr. Hammond, the Senate bill (No. 1527) entitled "An act to further amend chapter 559 of the Laws of 1895, entitled 'An act relating to membership corporations, constituting chapter 43 of the general laws, by adding a new section to article 7 thereof relating to Christian associations, to be known as section 92 of said chapter'" (Rec. No. 468), was referred to the committee on rules, for the purpose of making said bill a special order on second and third reading.

On request of Mr. Darrison, the Senate bill (No. 1224) entitled "An act making an appropriation for the New York State Hospital for the Care of Crippled and Deformed Children" (Rec. No. 325), was referred to the committee on rules, for the purpose of making said bill a special order on third reading.

On request of Mr. Rogers, the Senate bill (No. 1100) entitled "An act to amend section 2 of chapter 378 of the Laws of 1883, entitled 'An act in relation to receivers of corporations'" (Rec. No. 450), was referred to the committee on rules, for the purpose of making said bill a special order on second and third reading.

On request of Mr. Rogers, the Senate bill (No. 1500) entitled "An act making an appropriation for paying a portion of the cost of constructing an extension of what is known as the State hospital sewer, from its present terminus on the east bank of the Chenango river, in the city of Binghamton, across said river and down the Susquehanna river, to a point near the western limits of said city of Binghamton" (Rec. No. 463), was referred to the

committee on rules, for the purpose of making said bill a special order on second and third reading.

On request of Mr. Allds, the bill (No. 2502) entitled "An act making an appropriation for the settlement of the balance due upon the contract for legislative printing, which expired October 1, 1899" (Int. No. 1665), was referred to the committee on rules, for the purpose of making said bill a special order on reading.

On request of Mr. Mansfield, the Senate bill (No. 530) entitled "An act to amend sections 1215 and 1216 of the Code of Civil Procedure, with respect to the rendering of judgments" (Rec. No. 337), was referred to the committee on rules, for the purpose of making said bill a special order on second and third reading.

On request of Mr. Mansfield, the Senate bill (No. 1194) entitled "An act authorizing the Niskayuna Power Company to construct and maintain a dam across the Mohawk river between the towns of Clifton Park and Niskayuna" (Rec. No. 405), was referred to the committee on rules, for the purpose of making said bill a special order on second and third reading.

On request of Mr. Allds, the Senate bill (No. 1409) entitled "An act to authorize the Comptroller of this State to hear and determine the several applications of David C. Leech and Minnie A. Lord for the cancellation of the sale of 1890 for the taxes of 1860 of a tract of land in the town of Schroon, county of Essex, State of New York, described as 'Rogers (Platt) & Company's road-patent lot 1; subdivision 11 thereof, containing 94 acres more or less' and conveyed to the people of the State of New York" (Rec. No. 421), was referred to the committee on rules, for the purpose of making said bill a special order on second and third reading.

On request of Mr. Mains, the Senate bill (No. 1113) entitled "An act to enable owners of property liable to be assessed for a local improvement to review and correct the fixing of the district of assessment therefor" (Rec. No. 282), was referred to the committee on rules, for the purpose of making said bill a special order on second and third reading.

On request of Mr. Weekes, the Senate bill (No. 1334) entitled "An act to provide for the taxation and payment of the fees and expenses of the commissioners of estimate and assessment heretofore appointed by the Supreme Court in the proceedings in the city of New York for the extension and opening of Manhattan

street in said city" (Rec. No. 377), was referred to the committee on rules, for the purpose of making said bill a special order on second and third reading.

On request of Mr. Bennet, the Senate bill (No. 1359) entitled "An act to amend the Stock Corporations Law, in relation to the issue of debenture bond stock" (Rec. No. 417), was referred to the committee on rules, for the purpose of making said bill a special order on reading.

On request of Mr. Ulmann, the Senate bill (No. 974) entitled "An act to amend sections 150 and 582 of the Code of Civil Procedure, so as to enable all persons arrested or attached and held to bail on civil process to deposit money in lieu of bail" (Rec. No. 388), was referred to the committee on rules, for the purpose of making said bill a special order on third reading.

On request of Mr. Mansfield, the Senate bill (No. 1163) entitled "An act to amend chapter 222 of the Laws of 1866, entitled 'An act to amend the charter of the village of Saratoga Springs and the several acts amendatory thereof'" (Rec. No. 401), was referred to the committee on rules for the purpose of making said bill a special order on reading.

On request of Mr. M. E. Lewis, the bill (No. 2467) entitled "An act to provide for the payment of certain local assessments against State property in the city of Rochester, in the county of Monroe, and making an appropriation therefor" (Int. No. 1647), was referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

Mr. Allds moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded:

Adler	Coughtry	Hammond	Mathews	Rodenbeck
Ahern	Daly	Hanford	McMillan	Rogers
Allds	Darrison	Harburger	McQuade	Ross
Allston	Davis	Harris	Meister	Ruehl
Apgar	Delaney	Hasenflug	Morgan	Salyerds
Axtell	Dempsey	Hatch	Nye	Scanlon
Babcock	Dickey	Hawkins	O'Brien	Schneider
Baker	Dickinson	Henry	O'Connell	Seymour

Baum	Dooling	Hitchcock	O'Malley	Sherer
Bell	Duross	Holsten	Orr	Smith A R
Bedell	Dusinbery	Honeck	Phillips	Smith J E
Blackwell	Egan	Hyman	Phipps	Smith J L
Bradley	Everett	Irwin	Plank	Smith J T
Brill	Fancher	Juengst	Platt	Smith W H
Brooks	Fish	Kaiser	Poth	Snyder
Bruckner	Fisher	Kelly	Price	Stevens
Bryan	Fitzgerald	Kelsey	Rainey	Sullivan
Burnett	Fitzpatrick	Knipp	Reilley	Swarts
Burns	Fordyce	Landon	Remsen	Swift
Cadin	Fowler	Leggett	Reynolds	Traub
Conger	Frisbie	Lewis M E	Richter	Treat
Cook	Galbraith	Lewis T D	Rider	Ulmann
Cooley	Gardiner R	Lynn	Rierdon	Waite
Coons	Geoghan	Mains	Roberts	Walrath
Costello	Hallock	Mansfield	Robinson	Wilson H
Cotton	Halpin			127

The Clerk furnished a list of absentees to the Sergeant-at-Arms, who appeared in due time before the bar of the House, with Mr. Thorn, who upon giving satisfactory explanation for being absent, was excused.

Mr. Allds moved that all further proceedings, under the call of the House, be suspended.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. M. E. Lewis in the Chair.

Mr. Speaker announced the special order, being the Senate bill (No. 1181) entitled "An act to amend chapter 112 of the Laws of 1896, entitled 'An act in relation to the traffic in liquors, and for the taxation and regulation of the same, and to provide for local option, constituting chapter 29 of the general laws,' as amended by chapter 312 of the Laws of 1897, by chapter 167 of the Laws of 1898, by chapters 398 and 434 of the Laws of 1899, and by chapters 257 and 367 of the Laws of 1900." (Rec. No. 334.)

Said bill having been announced for a second reading,

Mr. J. E. Smith moved to amend as follows:

Page 13, line 3, after the word "excise" where it appears the second time, strike out the following words: "or any citizen of the state."

Same page, line 16, after the word "based" strike out the rest of said line.

Same page, strike out lines 16, 17, 18, 19, 20, 21, 22, 23, 24, 25.

Page 14, strike out lines 1, 2, 3, 15, 22, 23.

Same page, line 14, strike out the words "and the officer issuing the same or his successor in office."

Page 16, strike out all the underscored lines.

Page 17, strike out lines 1 to 25, inclusive.

Page 18, strike out lines 1 to 17, inclusive.

Debate was had thereon, when

Mr. Allds moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker put the question whether the House would agree to said motion of Mr. J. E. Smith, and it was determined in the negative.

{ AYES 65 }
{ NOES 66 }

Those who voted in the affirmative, were

Baum	Delaney	Harburger	Mathews	Richter
Bell	Dempsey	Harris	McInerney	Rider
Blackwell	Dickey	Hasenflug	McKeown	Rierdon
Bradley	Doeling	Hawkins	McMillan	Ruehl
Brooks	Doughty	Henry	McQuade	Scanlon
Bruckner	Duross	Holsten	Meister	Snyder
Burns	Dusinbery	Honeck	O'Connell	Smith J E
Cadin	Egan	Hyman	Patton	Sullivan
Cook	Fitzgerald	Juengst	Poth	Ulmann
Cooley	Fitzpatrick	Kaiser	Prince	Vacheron
Cotton	Frisbie	Kelly	Rainey	Van Name
Daly	Geoghan	Lynn	Reilley	Walrath
Davis	Halpin	Mains	Remsen	Weber

Those who voted in the negative, were

Adler	Dickinson	Hanford	O'Brien	Seymour
Ahern	Ellis	Hatch	Orr	Sherer
Allds	Everett	Hitchcock	Phillips	Smith A R
Axtell	Fancher	Irwin	Phipps	Smith S W
Babcock	Fish	Kelsey	Plank	Snyder
Baker	Fisher	Knipp	Platt	Stevens
Bedell	Fordyce	Landon	Price	Swarts
Brill	Fowler	Leggett	Reynolds	Swift
Burnett	Galbraith	Lewis M E	Roberts	Thorn

Conger	Graeff	Lewis T D	Robinson	Treat
Coons	Griffith	Mansfield	Rodenbeck	Waite
Costello	Hallock	Morgan	Rogers	Weekes
Coughtry	Hammond	Nye	Salyerds	Wilson H
Darrison				

Mr. Harburger moved to amend as follows:

Page 17, lines 6 and 7, strike out the words "two hundred and fifty dollars" and insert the words "one thousand dollars" in lieu thereof.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Harburger, and it was determined in the negative.

Mr. Harburger moved to amend as follows:

Pages 16 and 17, strike out all of lines 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25 and 26.

Page 17, strike out all of lines 1, 2, 3, 4, 5, 6, 7, 8 and 9.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Harburger, and it was determined in the negative.

Mr. Duross moved to amend as follows:

Page 17, lines 6 and 7, strike out the following words "not exceeding the sum of two hundred and fifty dollars" and insert in place thereof the words "sustained by the certificate holder."

Mr. Speaker put the question whether the House would agree to said motion of Mr. Duross, and it was determined in the negative.

On motion of Mr. Allds the House adjourned.

THURSDAY, APRIL 18, 1901.

The House met pursuant to adjournment.

Prayer by Rev. A. R. Olney.

On motion of Mr. Allds, the reading of the journal of yesterday was dispensed with and the same was approved.

The Senate sent for concurrence the following entitled bills:

"An act to amend the Business Corporations Law, relating to the number of directors and to the subscribers of the certificate

of incorporation " (No. 1427, Rec. No. 440), which was read the first time and referred to the committee on rules.

"An act to further amend the act entitled 'An act to incorporate the United States Mortgage Company,' passed May 12, 1871, relative to the offices of the said company (now named United States Mortgage and Trust Company)" (No. 1470, Rec. No. 441), which was read the first time and referred to the committee on rules.

"An act to incorporate the Inebriates' Home for New York city, and to provide funds for the maintenance thereof " (No. 1473, Rec. No. 444), which was read the first time and referred to the committee on rules.

"An act to provide for the enrollment of members of political parties in towns " (No. 1420, Rec. No. 445), which was read the first time and referred to the committee on rules.

"An act to amend the State Finance Law, relating to payments to the State Treasurer by State officers, employes, boards, departments or commissions " (No. 1480, Rec. No. 446), which was read the first time and referred to the committee on rules.

"An act in relation to the powers of the Board of Supervisors of Albany, Erie and Monroe counties " (No. 1477, Rec. No. 447), which was read the first time and referred to the committee on rules.

"An act amending section 276 of the Greater New York charter, relative to the telegraph operators in the police department " (No. 1456, Rec. No. 448), which was read the first time and referred to the committee on rules.

"An act to amend section 87 of the Forest, Fish and Game Law, in relation to fishing in Orange county " (No. 1433, Rec. No. 449), which was read the first time and referred to the committee on rules.

"An act to amend section 2 of chapter 378 of the Laws of 1883, entitled 'An act in relation to receivers of corporations ' " (No. 1100, Rec. No. 450), which was read the first time and referred to the committee on rules.

"An act to amend the Banking Law in relation to the powers and privileges of trust companies " (No. 1481, Rec. No. 451), which was read the first time and referred to the committee on rules.

"An act to permit the cancellation and annulment of assessments for public improvements against the real estate of religious

corporations in the borough of the Bronx, in the city of New York " (No. 1372, Rec. No. 452), which was read the first time and referred to the committee on rules.

"An act to amend the Tax Law relating to the taxation of the stockholders of banks and banking associations " (No. 1507, Rec. No. 453), which was read the first time and referred to the committee on rules.

"An act to provide for the payment and assessment of the cost of certain local improvements in the city of Rensselaer " (No. 1484, Rec. No. 454), which was read the first time and referred to the committee on rules.

"An act to fix and establish the annual salary of the county judge of Westchester county, and repealing section 222 of chapter 686 of the Laws of 1892 so far as it relates to Westchester county " (No. 1388, Rec. No. 455), which was read the first time and referred to the committee on rules.

"An act in relation to the commissioners of the Palisades interstate park and making an appropriation therefor " (No. 1503, Rec. No. 456), which was read the first time and referred to the committee on rules.

"An act relating to the commissioners of the Palisades interstate park confirming their appointment and enlarging their powers " (No. 1386, Rec. No. 457), which was read the first time and referred to the committee on rules.

"An act to extend the time of the Upper Hudson Railroad Company to begin the construction of its road, and to expend thereon 10 per centum of the amount of its capital and to finish its road and to put it in operation " (No. 1309, Rec. No. 458), which was read the first time and referred to the committee on rules.

"An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of James M. Hess of the town of Camillus, county of Onondaga, New York, against the State of New York, for compensation for damages alleged to have been sustained by him, and to render judgment therefor " (No. 1358, Rec. No. 459), which was read the first time and referred to the committee on rules.

"An act to amend chapter 599 of the Laws of 1867, entitled 'An act to authorize the Fayetteville and Syracuse Plank-road Company to construct a railroad on and near its present route,'

in relation to the amount of toll chargeable for automobiles" (No. 1352, Rec. No. 460), which was read the first time and referred to the committee on rules.

"An act to amend the Forest, Fish and Game Law, in relation to the polluting of waters" (No. 1171, Rec. No. 461), which was read the first time and referred to the committee on rules.

"An act to amend the County Law, in relation to the salary of the county judge and surrogate of Orange county" (No. 1505, Rec. No. 462), which was read the first time and referred to the committee on rules.

"An act making an appropriation for paying a portion of the cost of constructing an extension of what is known as the State hospital sewer, from its present terminus on the east bank of the Chenango river, in the city of Binghamton, across said river and down the Susquehanna river, to a point near the western limits of said city of Binghamton" (No. 1500, Rec. No. 463), which was read the first time and referred to the committee on rules.

"An act to amend sections 2647, 2649, 2651, 2652, 2653-a, 2626, 2627 and 2588 of the Code of Civil Procedure, relating to revocation of probate, and relating to award of jury trial upon reversal in probate cases" (No. 1032, Rec. No. 464), which was read the first time and referred to the committee on rules.

"An act to amend section 15 of the Town Law, as amended by chapter 344 of the Laws of 1893, and chapter 239 of the Laws of 1895, and chapter 481 of the Laws of 1897" (No. 1502, Rec. No. 465), which was read the first time and referred to the committee on rules.

Mr. Apgar introduced a bill entitled "An act to amend chapter 6 of the general laws, known as the Election Law" (Int. No. 1695), which was read the first time and referred to the committee on rules.

By unanimous consent,

Mr. Kelsey introduced a bill entitled "An act to amend the Greater New York charter relative to the department of docks and ferries" (Int. No. 1696), which was read the first time and referred to the committee on rules.

By unanimous consent,

Mr. Kelsey introduced a bill entitled "An act to amend the Greater New York charter, relative to the licenses of teachers"

(Int. No. 1697), which was read the first time and referred to the committee on rules.

Mr. Speaker, from the committee on rules, to which was referred the bill (No. 2467) entitled "An act to provide for the payment of certain local assessments against State property in the city of Rochester, in the county of Monroe, and making an appropriation therefor" (Int. No. 1647), reported in favor of the passage of the same, with the following amendments, and that the same, when amended, be made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported.

Page 1, line 1, strike out the word "thirty-seven" and insert in place thereof the word "sixteen;" also after the word "thousand" insert the words "three hundred and six;" also after the word "dollars" insert the words "and forty-seven cents."

Same page, line 5, strike out the word "all."

Which report was agreed to, and said bill when amended be made a special order on second and third reading immediately after the consideration of the special orders on third reading heretofore reported.

Mr. Speaker, from the committee on rules, to which was referred the Senate bill (No. 1163) entitled "An act to amend chapter 220 of the Laws of 1866, entitled 'An act to amend the charter of the village of Saratoga Springs and the several acts amendatory thereof'" (Rec. No. 401), reported in favor of the passage of the same with the following amendments, and that when amended the same be made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported:

Amend the title, first line, by inserting a hyphen after the word "twenty" and also the word "two."

Page 5, line 16, after the word twenty insert a hyphen and the word "two."

Which report was agreed to, and said bill when amended be made a special order on second and third reading immediately after the consideration of the special orders on third reading heretofore reported.

Mr. Speaker, from the committee on rules, to which was referred the following entitled bills, reported in favor of the pas-

sage of the same, without amendment, and that the same be made special orders on third reading immediately:

"An act to provide for the payment of the claim of the Eureka Fire Hose Company for furnishing fire hose to the village of Far Rockaway." (No. 2365, Int. No. 1594.)

Senate, "An act to amend chapter 428 of the Laws of 1900, entitled 'An act supplemental to chapter 469 of the Laws of 1892,' entitled 'An act to restore to the owners of water power on Black river the water diverted by the State for canal purposes,' and making an appropriation therefor." (No. 2540, Senate reprint No. 1225, Rec. No. 390.)

"An act to amend chapter 694 of the Laws of 1900, entitled 'An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of the city of Rochester and others against the State, relative to the award to be made against the State.'" (No. 2475, Int. No. 1016.)

Which report was agreed to, and said bills ordered made special orders on third reading immediately.

Mr. Speaker, from the committee on rules, to which was referred the Senate bill (No. 2484) entitled "An act to amend chapter 677 of the Laws of 1892, entitled 'the Statutory Construction Law'" (Rec. No. 349), reported in favor of the passage of the same, without amendment, and that the same be made special order on second and third reading immediately after the consideration of the special orders on third reading heretofore reported, which report was agreed to, and said bill made a special order on second and third reading immediately after the consideration of the special orders on third reading heretofore reported.

Mr. Speaker, from the committee on rules, to which was referred the following entitled bills, reported in favor of the passage of the same, without amendment, and that the same be made special orders on third reading immediately:

"An act to amend section 131 of article 6 of the Tax Law, being chapter 24 of the general laws, as amended by chapter 339 of the Laws of 1898." (No. 2532, Int. No. 1588.)

"An act to amend chapter 986 of the Laws of 1896, entitled 'An act to incorporate the Patent and Copyright Protective Association of New York,' as amended by chapter 496 of the Laws of 1898." (No. 2526, Int. No. 1296.)

"An act to provide for construction of a stone arch over the Canastota creek over the mouth of the State sewer emptying into said creek near the northerly side of Chappel street in the village of Canastota, and making an appropriation therefor." (No. 2058, Int. No. 1453.)

"An act authorizing the Superintendent of Public Works to improve the channel of the stream in the towns of Goshen and Wawayanda, in Orange county, known as the Wallkill river, and making an appropriation therefor." (No. 2515, Int. No. 1374.)

Which report was agreed to, and said bills ordered made special orders on third reading immediately.

Mr. Speaker, from the committee on rules, to which was referred the following entitled bills, reported in favor of the passage of the same, without amendment, and that the same be made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported:

"An act making an appropriation for the drainage of the Conewango creek, in the county of Chautauqua." (No. 2270, Int. No. 1548.)

"An act to authorize the commissioners of Watkins Glen Reservation to purchase certain lands in the town of Dix, in the county of Schuyler, for a State park or reservation, and making an appropriation therefor." (No. 378, Int. No. 363.)

Which report was agreed to, and said bills ordered made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported.

Mr. Speaker, from the committee on rules, to which was referred the following entitled bills, reported in favor of the passage of the same, without amendment, and that the same be made special orders on third reading immediately:

"An act to amend the Tax Law in regard to the assessment of real property in two or more tax districts." (No. 2433, Int. No. 1354.)

"An act to amend chapter 339 of the Laws of 1884, relative to navigation on Chautauqua lake." (No. 2480, Int. No. 1613.)

"An act to make the office of sheriff of the county of Queens a salaried office and regulating the management of said office." (No. 2518, Int. No. 872.)

Which report was agreed to, and said bills ordered made special orders on third reading immediately.

Mr. Speaker, from the committee on rules, to which was referred the bill (No. 2386) entitled "An act concerning the settlement and collection of arrearages of unpaid taxes of the county of Erie, and imposing and levying taxes in lieu and instead of such arrearages, and to enforce the payment thereof by sales of land" (Int. No. 1543), reported in favor of the passage of the same without amendment, and that the same be made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported, which report was agreed to and said bill ordered made a special order on second and third reading immediately after the consideration of the special orders on third reading heretofore reported.

Mr. Speaker, from the committee on rules, to which was referred the following entitled bills, reported in favor of the passage of the same without amendment, and that the same be made special orders on third reading immediately:

"An act to prevent adulteration of and deception in the sale of drugs, chemicals and other substances." (No. 1148, Int. No. 955.)

"An act to authorize the board of trustees of the village of Peekskill, to levy and collect a tax for the purpose of paying the existing indebtedness of said village and to purchase a fire alarm bell." (No. 2535, Int. No. 1672.)

Which report was agreed to, and said bills ordered made special orders on third reading immediately.

Mr. Speaker, from the committee on rules, to which was referred the following entitled bills, reported in favor of the passage of the same without amendment, and that the same be made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported:

"An act authorizing the construction of a new steel bridge over the Erie canal at Water street, in the village of Lyons, Wayne county, New York, and abutments and approaches thereto, and making an appropriation therefor." (No. 1888, Int. No. 1353.)

"An act making an appropriation for the construction of a new

steel bridge over the Champlain canal, at Fulton street, in the town of Waterford, New York." (No. 490, Int. No. 457.)

Which report was agreed to, and said bills ordered made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported.

Mr. Speaker, from the committee on rules, to which was referred the following entitled bills, reported in favor of the passage of the same, without amendment, and that the same be made special orders on third reading immediately:

"An act to amend chapter 466 of the laws of 1866, entitled 'An act in regard to normal schools,' in relation to officers of local boards and their compensation." (No. 2422, Int. No. 1620.)

"An act to provide for dredging and deepening the channel of the Conhocton river and building a dyke along said river in the village of Painted Post, and making an appropriation therefor." (No. 1218, Int. No. 1003.)

Which report was agreed to, and said bills ordered made special orders on third reading immediately.

Mr. Speaker, from the committee on rules, to which was referred the bill (No. 1096) entitled "An act to authorize the improvement of the channel of Newtown creek along a portion of its course in the county of Chemung, and the procuring of rights of way for that purpose, and making an appropriation therefor" (Int. No. 927), reported in favor of the passage of the same, without amendment, and that the same be made special order on second and third reading immediately after consideration of the special orders on third reading heretofore reported, which report was agreed to, and said bill ordered made a special order on second and third reading immediately after the consideration of the special orders on third reading heretofore reported.

Mr. Speaker from the committee on rules, to which was referred the bill (No. 2539) entitled "An act in relation to State printing, constituting chapter 52 of the general laws, and repealing certain acts and parts of acts inconsistent therewith" (Int. No. 1257), reported in favor of the passage of the same, without amendment, and that the same be made a special order on third reading immediately, which report was agreed to and said bill ordered made special orders on third reading immediately.

Mr. Speaker, from the committee on rules, to which was referred the following entitled bills, reported in favor of the passage of the same, without amendment, and that the same be made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported:

“An act to amend the Forest, Fish and Game Law, relating to actions for fires.” (No. 2190, Int. No. 1512.)

“An act to amend the State Finance Law, relating to payments to the State Treasurer by State officers, employes, boards, departments or commissions.” (No. 1480, Rec. No. 446.)

“An act to amend chapter 73 of the Laws of 1898, amendatory of chapter 337 of the Laws of 1897, entitled ‘An act conferring additional powers upon trust companies within the counties of this State containing upwards of 300,000 and less than 600,000 inhabitants.’” (No. 799, Rec. No. 342.)

“An act to amend the Banking Law in relation to the powers and privileges of trust companies.” (No. 1481, Rec. No. 451.)

“An act making an appropriation for the State Industrial School.” (No. 979, Rec. No. 203.)

“An act to amend chapter 740 of the Laws of 1896, entitled ‘An act to amend the charter of the Hebrew Benevolent and Orphan Asylum Society of the city of New York, and to authorize its appointment as general guardian of the person and property of infants under its care and control.’” (No. 1453, Rec. No. 426.)

Which report was agreed to, and said bills ordered made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported.

Mr. Speaker, from the committee on rules, to which was referred the Senate bill (No. 625) entitled “An act to reappropriate money for the construction of a swing bridge over Black Rock harbor at Ferry street, in the city of Buffalo, and to make an appropriation therefor” (Rec. No. 391), reported in favor of the passage of the same, without amendment, and that the same be made a special order on third reading immediately, which report was agreed to and said bill ordered make a special order on third reading immediately.

Mr. Speaker, from the committee on rules, to which was referred

the following entitled Senate bills, reported in favor of the passage of the same, without amendment, and that the same be made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported:

"An act entitled an act to amend chapter 182 of the Laws of 1892, entitled 'An act to incorporate the city of Mount Vernon.'"
(No. 1305, Rec. No. 380.)

"An act to further amend the act entitled 'An act to incorporate the United States Mortgage Company,' passed May 12, 1871, relative to the offices of the said company (now named United States Mortgage and Trust Company)." (No. 1470, Rec. No. 441.)

"An act to incorporate Saint Rose's settlement of the Catholic Social Union." (No. 1280, Rec. No. 396.)

"An act to amend chapter 212 of the Laws of 1888, being the charter of the city of Ithaca, and providing for the adoption of a sanitary code in and for said city, and providing for the punishment of violations thereof in said city." (No. 338, Rec. No. 436.)

"An act to amend chapter 214 of the Laws of 1888, entitled 'An act to revise the charter of the city of Binghamton.' relative to school buildings." (No. 1389, Rec. No. 412.)

"An act ratifying the laying out and construction of Pelham avenue, from Webster avenue to Southern boulevard in the borough of the Bronx in the city of New York, and authorizing persons assessed for said work to apply to the Supreme Court, first department, for relief from the assessment laid therefor."
(No. 1439, Rec. No. 428.)

"An act authorizing the selection of certain lands in the town of Ausable, Clinton county, and the town of Chesterfield, Essex county, known as the 'Ausable chasm,' with a view of acquiring the same for a State park, preserving the scenery thereof, and making it a place of public resort and pleasure." (No. 1119, Rec. No. 384.)

"An act to amend section 394 of the Penal Code." (No. 1144, Rec. No. 416.)

"An act in relation to furnishing free text books to the pupils of the common schools of the city of Utica, at the expense of said city." (No. 459, Rec. No. 418.)

"An act to amend chapter 330 of the Laws of 1889, entitled 'An act requiring the county clerks of each of the counties of this

State to keep a register of the moneys directed by the judgments, decrees and orders of the court to be deposited with the county treasurer of his county,' in relation to the duties of the county clerks of New York, Queens and Richmond counties in keeping a register of moneys deposited or ordered to be deposited with the city chamberlain." (No. 525, Rec. No. 419.)

Which report was agreed to, and said bills ordered made special orders on second and third readings immediately after the consideration of the special orders on third reading heretofore, reported.

Mr. Speaker, from the committee on rules, to which was referred the following entitled Senate bills, reported in favor of the passage of the same, without amendment, and that the same be made a special order on third reading immediately:

"An act to amend section 631 of the Code of Criminal Procedure in reference to the criminal insane confined in an asylum." (No. 1164, Rec. No. 316.)

"An act to provide for the payment of the claim of M. A. Diamond, executrix of the estate of John Diamond deceased, for labor and materials furnished in grammar school No. 76 in the Nineteenth ward of the city of New York." (No. 1268, Rec. No. 354.)

Which report was agreed to, and said bills ordered make special orders on third reading immediately.

Mr. Speaker from the committee on rules, to which was referred the following entitled Senate bills, reported in favor of the passage of the same without amendment, and that the same be made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported:

"An act to amend section 21 of the Railroad Law and relative to the powers of electric light and power corporations." (No. 1228, Rec. No. 331.)

"An act to incorporate the Utica Corn Hill Benefit Association of the city of Utica." (No. 337, Rec. No. 385.)

"An act to amend chapter 189 of the Laws of 1900, entitled 'An act to authorize the city of Utica to borrow money for bridges and their approaches and to issue bonds therefor,' in relation to bridges over new channel of Mohawk river, etc." (No. 457, Rec. No. 211.)

"An act to define the rights of persons and corporations engaged

in the business of storing personal chattels, and to regulate the said business." (No. 1404, Rec. No. 432.)

"An act to amend section 885 of the Code of Civil Procedure, relating to deposition to be used on motion." (No. 1343, Rec. No. 382.)

"An act to amend chapter 93 of the Laws of 1891, entitled 'An act to authorize the city of Utica to borrow money by the issue of bonds, to provide for their redemption and to appoint commissioners for changing the channel of the Mohawk river between said city and the town of Deerfield, in Oneida county,' in relation to the title to the channel of said river." (No. 458, Rec. No. 202.)

"An act to amend section 87 of the Forest, Fish and Game Law, in relation to fishing in Orange county." (No. 1433, Rec. No. 449.)

"An act to amend the Public Health Law, relating to local consents and percentages." (No. 1406, Rec. No. 435.)

"An act to amend section 93 of the Railroad Law in relation to consents and percentages." (No. 1406, Rec. No. 435.)

"An act to amend the Public Health Law, relative to the practice of pharmacy in State institutions." (No. 882, Rec. No. 260.)

"An act authorizing the board of estimate and apportionment of the city of New York to take proof of the claim of the Woodside Water Co. for compensation for water furnished to Long Island City, and to audit and allow such claim, and to provide for the payment thereof." (No. 1039, Rec. No. 335.)

"An act to amend section 5 of the Railroad Law in relation to forfeiture of corporate existence." (No. 963, Rec. No. 398.)

"An act to amend chapter 115 of the Laws of 1898, entitled 'An act to provide for the improvement of the public highways,' relative to the maintenance of highways, as amended by chapter 293 of the Laws of 1900, and chapter 109 of the Laws of 1901." (No. 1421, Rec. No. 425.)

"An act to amend chapter 52 of the Laws of 1893, entitled 'An act to make the office of county clerk of Columbia county a salaried office and regulating the management of said office,' in relation to assistants." (No. 1345, Rec. No. 371.)

Which report was agreed to, and said bills ordered made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported.

Mr. Speaker announced the special order, being the Senate bill (No. 1049, Assembly reprint No. 2484) entitled "An act to amend chapter 677 of the Laws of 1892, entitled 'the Statutory Construction Law.'" (Rec. No. 349.)

Said bill was read the second time.

On motion of Mr. Robinson, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present:

{ AYES 99 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Darrison	Hanford	Mathews	Ruehl
Adler	Davis	Harburger	McInerney	Salyerds
Ahern	Delaney	Hasenflug	McMillan	Sanders
Allds	Dickey	Hawkins	McQuade	Seymour
Allston	Dickinson	Hitchcock	Meister	Smith A R
Apgar	Doughty	Honeck	Nye	Smith J E
Babcock	Duross	Hyman	O'Brien	Smith J T
Baker	Dusinbery	Irwin	O'Connell	Smith S W
Baum	Ellis	Juengst	Orr	Smith W H
Bell	Fancher	Kaiser	Phillips	Stevens
Bennet	Fisher	Keenan	Plank	Swarts
Bradley	Fitzpatrick	Kelly	Poth	Swift
Brooks	Fordyce	Kelsey	Price	Traub
Bruckner	Frisbie	Knipp	Rainey	Ulmann
Burns	Gardiner R	Landon	Remsen	Vacheron
Cadin	Gardner C J	Leggett	Richter	Van Name
Cook	Graeff	Lewis M E	Rierdon	Walrath
Coons	Griffith	Lewis T D	Roberts	Weber
Cotton	Hallock	Mains	Rodenbeck	Weekes
Coughtry	Halpin	Mansfield	Rogers	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, with amendments.

Mr. Speaker announced the special order, being the bill (No. 2531) entitled "An act to amend chapter 410 of the Laws of 1882, entitled "An act to consolidate into one act and to declare the

special and local laws affecting public interests in the city of New York,' relating to Hellgate pilots." (Int. No. 1526.)

Said bill having been announced for a second reading,

On motion of Mr. Cooley, said bill was laid aside, retaining its place on the order of second reading.

Mr. Speaker announced the special order, being the bill (No. 2538) entitled "An act to amend the Agricultural Law, relative to adulterations of food." (Int. No. 1583.)

Said bill was read the second time.

On motion of Mr. Henry, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present:

} AYES 103 }
 } NOES 00 }

Those who voted in the affirmative, were

Adams	Delaney	Harburger	McQuade	Sanders
Adler	Dempsey	Hasenflug	Meister	Scanlon
Ahern	Dickinson	Hatch	Morgan	Seymour
Allston	Dooley	Henry	O'Brien	Sherer
Axtell	Doughty	Hitchcock	O'Connell	Smith A R
Babcock	Duross	Holsten	Orr	Smith J L
Baum	Dusinbery	Hyman	Patton	Smith J T
Bedell	Ellis	Irwin	Phipps	Smith W H
Blackwell	Everett	Juengst	Plank	Stevens
Bradley	Fish	Kaiser	Poth	Sullivan
Brooks	Fisher	Keenan	Prince	Swift
Bryan	Fitzpatrick	Kelly	Reilley	Thorn
Burns	Fowler	Kelsey	Remsen	Treat
Cadin	Frisbie	Knipp	Richter	Ulmann
Cook	Galbraith	Leggett	Rider	Van Name
Coons	Gardiner R	Lewis M E	Roberts	Waite
Costello	Geoghan	Lynn	Robinson	Walrath
Cotton	Graeff	Mains	Rogers	Weber
Daly	Hallock	Marson	Ross	Weekes
Darrison	Halpin	McInerney	Ruehl	Wilson H
Davis	Hanford	McKeown		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the Senate bill (No. 1115, Assembly reprint No. 2510) entitled "An act to provide for the representation of the State of New York at the South Carolina, Interstate and West Indian Exposition, at Charleston, S. C., and making an appropriation therefor." (Rec. No. 273.)

Said bill was read the second time.

On motion of Mr. Bennet, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present:

{	AYES	98	}
{	NOES	00	}

Those who voted in the affirmative, were

Adams	Coughtry	Harburger	Morgan	Schneider
Adler	Darrison	Hasenflug	O'Brien	Seymour
Ahern	DeGraw	Hatch	O'Connell	Smith A R
Alds	Dempsey	Henry	Orr	Smith J L
Allston	Dickinson	Holsten	Phillips	Smith J T
Axtell	Dooling	Hyman	Plank	Smith W H
Babcock	Duross	Juengst	Platt	Snyder
Baker	Dusinbery	Kaiser	Price	Sullivan
Bedell	Egan	Keenan	Prince	Swarts
Bell	Ellis	Kelly	Rainey	Swift
Bennet	Everett	Kelsey	Remsen	Traub
Bradley	Fish	Landon	Reynolds	Treat
Brooks	Fisher	Lewis M E	Rider	Vacheron
Bruckner	Fitzpatrick	Lewis T D	Rierdon	Van Name
Burnett	Fowler	Lynn	Robinson	Waite
Burns	Galbraith	Mansfield	Rogers	Walrath
Conger	Gardner C J	Marson	Ross	Weber
Cook	Graeff	McInerney	Salyerds	Weekes
Coons	Hallock	McMillan	Sanders	Wilson H
Costello	Hammond	McQuade		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, with amendments.

Mr. Speaker announced the special order, being the Senate bill (No. 1200, Assembly reprint No. 2530) entitled "An act to lay out, establish, build and maintain a causeway, bridge or viaduct for use as a public street across the Jerome Park reservoir, from Jerome avenue to Sedgwick avenue, in the city of New York." (Rec. No. 328.)

Said bill was read the second time.

On motion of Mr. Rierdon, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present:

{ AYES 103 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Cooley	Graeff	Mathews	Ross
Adler	Costello	Griffith	McKeown	Ruehl
Ahern	Coughtry	Halpin	McMillan	Sanders
Allds	Daly	Hanford	McQuade	Schneider
Allston	Darrison	Harris	Morgan	Sherer
Apgar	DeGraw	Hatch	O'Brien	Smith A R
Axtell	Dempsey	Hawkins	O'Connell	Smith J E
Babcock	Dickinson	Hitchcock	O'Malley	Smith J T
Baker	Dooling	Honeck	Patton	Smith W H
Baum	Duross	Hyman	Phillips	Snyder
Bell	Dusinbery	Irwin	Plank	Stevens
Bennet	Ellis	Kaiser	Poth	Swarts
Blackwell	Everett	Keenan	Price	Swift
Bradley	Fancher	Kelly	Prince	Traub
Brooks	Fisher	Kelsey	Reilley	Ulmann
Bruckner	Fitzpatrick	Knipp	Reynolds	Vacheron
Bryan	Fordyce	Leggett	Richter	Waite

Burnett	Fowler	Lewis M E	Rierdon	Walrath
Cadin	Galbraith	Lynn	Robinson	Weekes
Conger	Gardiner R	Mains	Rogers	Wilson H
Cook	Geoghan	Marson		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, with amendments.

Mr. Speaker announced the special order, being the bill (No. 2512) entitled "An act making an appropriation for the relief and maintenance of 'the United States Volunteer Life Saving Corps of the State of New York (inland waters).'" (Int. No. 946.)

Said bill was read the second time.

On motion of Mr. DeGraw, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present:

{ AYES 100 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Daly	Halpin	McInerney	Ruehl
Adler	Darrison	Hammond	McKeown	Salyerds
Allds	DeGraw	Harburger	McMillan	Scanlon
Allston	Dempsey	Harris	Meister	Seymour
Apgar	Dickey	Hasenflug	Morgan	Skerer
Axtell	Dooling	Hawkins	O'Brien	Smith J E
Baum	Doughty	Hitchcock	O'Connell	Smith J L
Bell	Dusinbery	Holsten	Orr	Smith S W
Blackwell	Egan	Hyman	Patton	Snyder
Bradley	Everett	Irwin	Phipps	Sullivan
Brill	Fancher	Juengst	Platt	Swift
Bruckner	Fisher	Keenan	Poth	Thorn
Bryan	Fitzgerald	Kelly	Prince	Traub
Burns	Fordyce	Kelsey	Rainey	Ulmann
Cadin	Fowler	Landon	Reilley	Van Name
Cook	Galbraith	Leggett	Reynolds	Waite

Cooley	Gardiner R	Lewis M E	Rider	Walrath
Costello	Geoghan	Lynn	Rierdon	Weber
Cotton	Graeff	Mains	Robinson	Weekes
Coughtry	Griffith	Marson	Rogers	Wilson H

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2519) entitled "An act authorizing the superintendent of the county poor of Albany county to hear, audit and determine the claim of the Catholic Male Orphan Asylum of Troy, N. Y., and make an award thereon." (Int. No. 1253.)

Said bill was read the second time.

On motion of Mr. Ahern, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present:

{ AYES 104 }
 { NOES 00 }

Those who voted in the affirmative, were

Adams	Davis	Hasenflug	Meister	Scanlon
Adler	Delaney	Hawkins	Nye	Schneider
Ahern	Dickey	Henry	O'Brien	Sherer
Allds	Dickinson	Hitchcock	O'Connell	Smith A R
Apgar	Doughty	Honeck	O'Malley	Smith J L
Babcock	Dusinbery	Hyman	Patton	Smith J T
Baker	Ellis	Irwin	Phillips	Smith S W
Bedell	Everett	Juengst	Plank	Snyder
Bell	Fish	Keenan	Poth	Stevens
Blackwell	Fitzgerald	Kelly	Prince	Swarts
Bradley	Fordyce	Kelsey	Rainey	Swift
Brill	Fowler	Knipp	Remsen	Thorn
Bruckner	Galbraith	Leggett	Reynolds	Traub
Burnett	Gardiner R	Lewis T D	Richter	UlmaLn
Burns	Geoghan	Lynn	Rierdon	Vacheron
Conger	Griffith	Mansfield	Roberts	Van Name

Cooley	Hallock	Marson	Robinson	Walrath
Coons	Halpin	Mathews	Rogers	Weber
Cotton	Hanford	McKeown	Ruehl	Weekes
Coughtry	Harburger	McMillan	Salyerds	Wilson H
Darrison	Harris	McQuade	Sanders	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the Senate bill (No. 1103, Assembly reprint No. 2540), entitled "An act to amend chapter 428 of the Laws of 1900, entitled 'An act supplemental to chapter 469 of the Laws of 1892, entitled 'An act to restore to the owners of water power on Black river the water diverted by the State for canal purposes,' and making an appropriation therefor." (Rec. No. 390.)

Said bill was read the second time.

On motion of Mr. Bryan, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present:

{ AYES 103 }
 { NOES 00 }

Those who voted in the affirmative, were

Adams	Darrison	Harris	McInerney	Ruehl
Adler	DeGraw	Hasenflug	McMillan	Sanders
Allds	Dempsey	Hatch	McQuade	Schneider
Allston	Dickinson	Henry	Morgan	Sherer
Apgar	Dooling	Hitchcock	O'Brien	Smith A R
Babcock	Duross	Honeck	O'Malley	Smith J L
Baker	Egan	Irwin	Orr	Smith J T
Baum	Ellis	Juengst	Patton	Smith W H
Bedell	Fancher	Kaiser	Phipps	Snyder
Bell	Fisher	Keenan	Plank	Sullivan
Blackwell	Fitzgerald	Kelly	Platt	Swarts
Bradley	Fitzpatrick	Kelsey	Price	Thorn
Brooks	Fowler	Knipp	Prince	Treat

Bruckner	Frisbie	Landon	Rainey	Ulmann
Bryan	Gardiner R	Leggett	Remsen	Van Name
Burns	Gardner C J	Lewis M E	Richter	Waite
Conger	Graeff	Lewis T D	Rider	Walrath
Cook	Griffith	Lynn	Roberts	Weber
Cooley	Hallock	Mains	Robinson	Weekes
Costello	Hammond	Marson	Rogers	Wilson H
Coughtry	Hanford	Mathews		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, with amendments.

Mr. Speaker announced the special order, being the bill (No. 2270) entitled "An act making an appropriation for the drainage of the Conewango creek, in the county of Chautauqua." (Int. No. 1548.)

Said bill was read the second time.

On motion of Mr. Fowler, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present:

{ AYES 108 }
{ NOES 2 }

Those who voted in the affirmative, were

Adams	Coughtry	Hammond	Meister	Schneider
Adler	Darrison	Hanford	Morgan	Seymour
Ahern	Davis	Harburger	Nye	Sherer
Apgar	DeGraw	Hasenflug	O'Connell	Smith J L
Axtell	Delaney	Hatch	O'Malley	Smith S W
Babcock	Dempsey	Hawkins	Patton	Smith W H
Baker	Dickinson	Hitchcock	Phillips	Snyder
Bedell	Dooling	Honeck	Plank	Stevens
Bell	Duross	Irwin	Poth	Sullivan
Blackwell	Dusinbery	Juengst	Prince	Swarts
Bradley	Ellis	Kaiser	Rainey	Thorn
Brooks	Everett	Keenan	Remsen	Traub

Bruckner	Fish	Kelly	Richter	Treat
Bryan	Fisher	Knipp	Rierdon	Ulmann
Burnett	Fitzgerald	Leggett	Roberts	Vacheron
Cadin	Fitzpatrick	Lewis M E	Rodenbeck	Van Name
Conger	Fowler	Lynn	Rogers	Waite
Cook	Frisbie	Mains	Ruehl	Walrath
Cooley	Gardiner R	Marson	Salyerds	Weber
Coons	Gardner C J	Mathews	Sanders	Weekes
Costello	Graeff	McMillan	Scanlon	Wilson H
Cotton	Hallock	McQuade		

Those who voted in the negative, were

Allds Kelsey

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 378) entitled "An act to authorize the commissioners of Watkins Glen reservation to purchase certain lands in the town of Dix, in the county of Schuyler, for a State park or reservation, and making an appropriation therefor." (Int. No. 363.)

Said bill was then read the second time.

On motion of Mr. Nye, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present:

{ AYES 114 }
{ NOES 6 }

Those who voted in the affirmative, were

Adams	Darrison	Hanford	McKeown	Scanlon
Adler	Davis	Harburger	McQuade	Schneider
Ahern	Delaney	Hasenflug	Meister	Sherer
Allds	Dempsey	Hatch	Morgan	Smith A R
Allston	Dickey	Hawkins	Nye	Smith J E
Apgar	Dickinson	Hitchcock	O'Connell	Smith J L
Axtell	Doolling	Holsten	O'Malley	Smith S W

Babcock	Duross	Honeck	Patton	Smith W H
Baker	Egan	Hyman	Phipps	Snyder
Baum	Ellis	Juengst	Flank	Sullivan
Bedell	Everett	Kaiser	Poth	Swarts
Bell	Fancher	Keenan	Prince	Thorn
Blackwell	Fisher	Kelsey	Rainey	Traub
Bradley	Fitzgerald	Knipp	Remsen	Treat
Brooks	Fitzpatrick	Landon	Reynolds	Ulmann
Bruckner	Fordyce	Leggett	Rider	Vacheron
Burnett	Galbraith	Lewis M E	Rierdon	Van Name
Burns	Gardiner R	Lewis T D	Roberts	Waite
Cadin	Gardner CJ	Lynn	Rodenbeck	Walrath
Cook	Geoghan	Mains	Ross	Weber
Cooley	Graeff	Marson	Ruehl	Weekes
Cotton	Hallock	Mathews	Salyerds	Wilson H
Daly	Halpin	McInerney	Sanders	

Those who voted in the negative, were

Costello	Kelly	Phipps	Smith J T	Swift
Frisbie				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2386) entitled "An act concerning the settlement and collection of arrearages of unpaid taxes of the county of Erie, and imposing and levying taxes in lieu and instead of such arrearages, and to enforce the payment thereof by sales of land" (Int. No. 1543).

Said bill having been announced for a second reading,

Mr. O'Malley moved that said bill be recommitted to the committee on rules, retaining its place on the order of third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Fitzgerald.—A point of order. Doesn't it require two-thirds to recommit the bill to rules committee?

Mr. Speaker.—Two-thirds is to discharge rules committee. Does not require two-thirds to recommit; requires two-thirds to discharge the committee.

Mr. McKeown.—Mr. Speaker, this is a special order; change of order requires two-thirds.

Mr. Geoghan.—I raise the point of order.

Mr. Speaker.—The Chair states the point of order not well taken.

Mr. McKeown.—My contention is that the bill under consideration is a special order—to change that order requires——

Mr. Speaker.—The order has not been changed; the bill has been recommitted. To postpone it would have required two-thirds—to make it a special order for to-morrow—but upon a motion to recommit it only requires——

Mr. McKeown.—Let us have just half a minute intelligently on this question. Is the rules report not a special order?

Mr. Speaker.—It is a special order.

Mr. McKeown.—This is part of the report of the rules——

Mr. Speaker.—It is.

Mr. McKeown.—Now, to change this—to take it off the calendar or recommit it is reversing that report——

Mr. Speaker.—It does not change the order——

Mr. McKeown.—Before we adjourn this very ruling will get back at you.

Mr. Speaker.—The Chair will be ready to receive it when it returns.

Mr. Allds.—Mr. Speaker, a motion to recommit is dealing with the bill, it now being in the possession of the House. A motion to postpone and put it on the calendar at a later day would require a two-thirds vote. This is a method of dealing with the bill, it being now in the possession of the House. It is an ordinary motion.

Mr. McKeown.—I am not talking about a motion to recommit. I am talking about the calendar—that is—the special order for to-day. Now, to change that order requires a two-thirds vote.

Mr. Speaker.—To change the order of a bill on the calendar requires a two-third vote, so far as fixing it for some future time is concerned; but not to recommit a bill. The Chair holds the point of order, that it requires a two-thirds vote to recommit a bill, is not well taken.

Mr. McKeown.—That isn't the point of order. My point of order is that this is a special order——

Mr. Speaker.—The calendar is a special order.

Mr. McKeown.—This is changing the calendar.

Mr. Speaker.—This is recommitting a bill under the ordinary rules of the House.

Mr. McKeown.—My point of order is on changing the special order, not to recommit—

Mr. Speaker.—The gentleman does not make a point of order upon the question of changing the order—

Mr. McKeown.—That was my point of order; and I leave it to the stenographer.

Mr. Speaker.—The Chair holds that the point of order, that recommitting a bill changes the order upon the calendar, is not well taken.

Mr. McKeown.—The Chair cannot rule that way.

Mr. Speaker.—The Chair rules that way.

Mr. Speaker announced the special order, being the bill (No. 1888) entitled "An act authorizing the construction of a new steel bridge over the Erie canal at Water street, in the village of Lyons, Wayne county, N. Y., and abutments and approaches thereto, and making an appropriation therefor" (Int. No. 1353).

Said bill was read the second time.

On motion of Mr. Griffith, said bill was place on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 124 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Delaney	Harris	McQuade	Ruehl
Adler	Dickey	Hasenflug	Meister	Salyerds
Ahern	Dickinson	Hatch	Morgan	Sanders
Allston	Dooling	Hawkins	Nye	Scanlon
Apgar	Doughty	Henry	O'Brien	Schneider
Axtell	Duross	Holsten	O'Connell	Seymour

Babcock	Egan	Honeck	O'Malley	Sherer
Baker	Ellis	Irwin	Orr	Smith J E
Baum	Everett	Juengst	Patton	Smith J L
Bedell	Fancher	Kaiser	Phipps	Smith J T
Bell	Fish	Keenan	Plank	Smith W H
Blackwell	Fisher	Kelly	Platt	Snyder
Brill	Fitzgerald	Kelsey	Poth	Stevens
Brooks	Fitzpatrick	Knipp	Price	Sullivan
Bruckner	Fowler	Landon	Prince	Swift
Burnett	Frisbie	Leggett	Reilley	Thorn
Burns	Gardiner R	Lewis T D	Remsen	Traub
Cadin	Gardner C J	Lewis M E	Richter	Treat
Cook	Geoghan	Lynn	Rider	Vacheron
Cooley	Graeff	Mains	Rierdon	Van Name
Costello	Hallock	Mansfield	Roberts	Waite
Cotton	Halpin	Marson	Robinson	Weber
Daly	Hammond	Mathews	Rodenbeck	Weekes
Darrison	Hanford	McInerney	Rogers	Wilson H
DeGraw	Harburger	McKeown	Ross	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 490) entitled "An act making an appropriation for the construction of a new steel bridge over the Champlain canal, at Fulton street, in the town of Waterford N. Y." (Int. No. 457).

Said bill was read the second time.

On motion of Mr. Mansfield, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{AYES 100}
{NOES 00}

Those who voted in the affirmative, were

Adams	Delaney	Harburger	McInerney	Ruehl
Adler	Dickey	Harris	McKeown	Sanders
Allds	Dickinson	Hatch	McQuade	Schneider

Allston	Dooling	Hawkins	Meister	Seymour
Axtell	Duross	Henry	Nye	Smith A R
Babcock	Egan	Hitchcock	O'Connell	Smith J E
Baum	Ellis	Holsten	O'Malley	Smith J T
Bell	Fancher	Hyman	Patton	Smith W H
Blackwell	Fish	Irwin	Phillips	Snyder
Bradley	Fitzgerald	Juengst	Plank	Stevens
Brooks	Fordyce	Kaiser	Platt	Swarts
Bruckner	Fowler	Keenan	Price	Thorn
Burnett	Frisbie	Kelly	Prince	Traub
Cadin	Gardiner R	Kelsey	Reilley	Ulmann
Conger	Gardner C J	Landon	Remsen	Vacheron
Cook	Graeff	Lewis M E	Richter	Van Name
Costello	Griffith	Lewis T D	Rider	Walrath
Cotton	Hallock	Lynn	Roberts	Weber
Darrison	Halpin	Mansfield	Rodenbeck	Weekes
Davis	Hanford	Mathews	Rogers	Wilson H

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1096) entitled "An act to authorize the improvement of the channel of Newtown creek along a portion of its course in the county of Chemung, and procuring of rights of way for that purpose, and making an appropriation therefor" (Int. No. 927).

Said bill was read the second time.

On motion of Mr. Knipp, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 106 }
{ NOES 1 }

Those who voted in the affirmative, were

Adams	Davis	Harris	Meister	Seymour
Adler	DeGraw	Hatch	Nye	Sherer
Allds	Delaney	Hawkins	O'Brien	Smith A R
Apgar	Dempsey	Henry	O'Malley	Smith J L

Axtell	Dickey	Hitchcock	Patton	Smith J T
Babcock	Dooling	Honeck	Phipps	Smith S W
Baker	Duross	Hyman	Platt	Smith W H
Baum	Dusinbery	Irwin	Poth	Snyder
Bell	Ellis	Juengst	Prince	Stevens
Bennet	Fancher	Kaiser	Reilley	Sullivan
Blackwell	Fish	Keenan	Remsen	Swift
Bradley	Fitzgerald	Kelly	Reynolds	Thorn
Brill	Fordyce	Knipp	Rider	Traub
Brooks	Frisbie	Landon	Rierdon	Treat
Bryan	Gardiner R	Lewis M E	Roberts	Vacheron
Burns	Gardner C J	Lewis T D	Robinson	Van Name
Conger	Graeff	Mains	Rogers	Waite
Cooley	Hallock	Marson	Ross	Walrath
Coons	Halpin	Mathews	Ruehl	Weber
Costello	Hammond	McKeown	Sanders	Weekes
Coughtry	Harburger	McQuade	Schneider	Wilson H
Daly				

In the negative,

Kelsey

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2526) entitled "An act to amend chapter 986 of the Laws of 1896, entitled 'An act to incorporate the Patent and Copyright Protective Association of New York,' as amended by chapter 496 of the Laws of 1898" (Int. No. 1296).

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 108 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Daly	Harburger	McKeown	Ross
Adler	Darrison	Harris	McMillan	Salyerds
Ahern	Davis	Hasenflug	Meister	Scanlon
Allds	DeGraw	Hawkins	Morgan	Seymour

Allston	Delaney	Henry	O'Brien	Sherer
Apgar	Dickey	Holsten	O'Connell	Smith J E
Axtell	Dickinson	Honeck	O'Malley	Smith S W
Baker	Dooling	Hyman	Orr	Smith W H
Baum	Duross	Juengst	Phillips	Stevens
Bedell	Egan	Kaiser	Phipps	Sullivan
Bell	Ellis	Keenan	Plank	Swift
Blackwell	Fancher	Kelly	Platt	Thorn
Brill	Fish	Kelsey	Poth	Treat
Brooks	Fitzgerald	Knipp	Price	Ulmann
Bryan	Fordyce	Landon	Rainey	Vacheron
Burns	Frisbie	Leggett	Reilley	Van Name
Cadin	Galbraith	Lewis M E	Reynolds	Waite
Conger	Gardiner R	Lewis T D	Rider	Walrath
Cooley	Geoghan	Lynn	Roberts	Weber
Coons	Griffith	Mansfield	Robinson	Weekes
Cotton	Halpin	Marson	Rodenbeck	Wilson H
Coughtry	Hammond	Mathews		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the Senate bill (No. 1337, Assembly reprint No. 2525) entitled "An act to make the office of sheriff of Essex county a salaried office in part, and to regulate the management thereof" (Rec. No. 383).

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 98 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Delaney	Harris	McQuade	Seymour
Adler	Dickey	Hasenflug	Meister	Sherer
Ahern	Dooling	Hawkins	Nye	Smith J E
Allston	Duross	Henry	O'Connell	Smith J L
Apgar	Darrison	Holsten	Orr	Smith S W

Babcock	Ellis	Honeck	Phillips	Smith W H
Baker	Everett	Irwin	Plank	Snyder
Bedell	Fancher	Juengst	Poth	Stevens
Bennet	Fisher	Kaiser	Prince	Swarts
Bradley	Fitzgerald	Keenan	Price	Swift
Brooks	Fordyce	Kelly	Reilley	Thorn
Bryan	Fowler	Kelsey	Reynolds	Treat
Burns	Galbraith	Landon	Rider	Ulmann
Cadin	Gardiner R	Leggett	Rierdon	Vacheron
Conger	Geoghan	Lewis T D	Robinson	Waite
Cooley	Graeff	Lynn	Rodenbeck	Walrath
Costello	Hallock	Mansfield	Ross	Weber
Coughtry	Halpin	Marson	Salyerds	Weekes
Daly	Hammond	Mathews	Scanlon	Wilson H
Davis	Harburger	McKeown		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, with amendments.

Mr. Speaker announced the special order, being the bill (No. 2527) entitled "An act to amend the Consolidated School Law, redative to the dissolution of school districts, etc." (Int. No. 1604).

Said bill having been announced for a third reading,

On motion of Mr. Griffith, said bill was laid aside, retaining its place on the order of third reading.

Mr. Speaker announced the special order, being the bill (No. 2190) entitled "An act to amend the Forest, Fish and Game Law, relating to actions for fires" (Int. No. 1512).

On motion of Mr. Axtell, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 110 }
 { NOES 00 }

Those who voted in the affirmative, were

Adams	Costello	Halpin	Mansfield	Rodenbeck
Adler	Cotton	Hammond	Marson	Ross
Allds	Coughtry	Harburger	Mathews	Ruehl
Allston	Daly	Harris	McInerney	Sanders
Axtell	Darrison	Hasenflug	McMillan	Scanlon
Babcock	Davis	Hatch	Meister	Seymour
Baker	Delaney	Henry	Morgan	Sherer
Bedell	Lempsey	Holsten	O'Brien	Smith A R
Bell	Dickey	Honeck	O'Malley	Smith J L
Bennet	Dooling	Hyman	Orr	Smith J T
Blackwell	Duross	Irwin	Patton	Smith W H
Bradley	Dusinbery	Juengst	Phipps	Snyder
Brill	Ellis	Kaiser	Plank	Sullivan
Brooks	Fancher	Keenan	Platt	Swarts
Bruckner	Fisher	Kelly	Price	Thorn
Bryan	Fitzgerald	Kelsey	Rainey	Traub
Burns	Fitzpatrick	Knipp	Reilley	Ulmann
Cadin	Fowler	Leggett	Remsen	Vacheron
Conger	Galbraith	Lewis M E	Richter	Van Name
Cook	Gardiner R	Lewis T D	Rider	Walrath
Cooley	Geoghan	Lynn	Rierdon	Weber
Coons	Griffith	Mains	Robinson	Weekes

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2365) entitled "An act to provide for the payment of the claim of the Eureka Fire Hose Company for furnishing fire hose to the village of Far Rockaway" (Int. No. 1381).

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 105 }
 } NOES 00 }

Those who voted in the affirmative, were

Adams	Cotton	Griffith	Mathews	Robinson
Adler	Coughtry	Halpin	McKeown	Rogers
Ahern	Daly	Hammond	McMillan	Ruehl
Allston	Davis	Harburger	McQuade	Sanders
Apgar	Delaney	Hasenflug	Meister	Scanlon
Axtell	Dempsey	Hawkins	Nye	Seymour
Baker	Dickinson	Henry	O'Brien	Sherer
Baum	Dooling	Holsten	O'Malley	Smith J E
Bell	Doughty	Honeck	Orr	Smith J L
Bennet	Duross	Irwin	Patton	Smith J T
Blackwell	Dusinbery	Juengst	Phipps	Smith W H
Brill	Ellis	Keenan	Plank	Stevens
Brooks	Everett	Kelly	Poth	Sullivan
Bruckner	Fish	Kelsey	Price	Swift
Bryan	Fitzgerald	Knipp	Rainey	Thorn
Burnett	Fordyce	Landon	Reilley	Treat
Cadin	Fowler	Lewis M E	Remsen	Vacheron
Conger	Galbraith	Lewis T D	Reynolds	Waite
Cook	Gardiner R	Mains	Richter	Walrath
Cooley	Geoghan	Mansfield	Rierdon	Weber
Coons	Graeff	Marson	Roberts	Wilson H

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2475) entitled "An act to amend chapter 694 of the Laws of 1900, entitled 'An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of the city of Rochester and others against the State, relative to the award to be made against the State'" (Int. No. 1016).

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 101 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Coughtry	Hammond	McKeown	Rodenbeck
Adler	Daly	Harburger	Meister	Ross
Ahern	Davis	Hasenflug	Morgan	Salyerds
Allds	DeGraw	Hawkins	Nye	Sanders
Allston	Dempsey	Henry	O'Brien	Schneider
Apgar	Dickinson	Holsten	O'Connell	Seymour
Babcock	Dooling	Hyman	O'Malley	Smith A R
Baker	Duross	Juengst	Orr	Smith J L
Bedell	Egan	Kaiser	Phillips	Smith J T
Bell	Everett	Keenan	Phipps	Smith W H
Blackwell	Fancher	Kelly	Plank	Snyder
Bradley	Fisher	Kelsey	Platt	Sullivan
Brill	Fitzgerald	Landon	Poth	Swift
Bruckner	Fordyce	Leggett	Price	Thorn
Bryan	Frisbie	Lewis M E	Rainey	Treat
Burns	Galbraith	Lewis T D	Reilley	Ulmann
Cadin	Gardner C J	Mains	Reynolds	Van Name
Conger	Geoghan	Mansfield	Richter	Waite
Cook	Griffith	Marson	Rierdon	Weber
Coons	Hallock	Mathews	Robinson	Weekes
Cotton				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2532) entitled "An act to amend section 131 of article 6 of the Tax Law, being chapter 24 of the general laws, as amended by chapter 339 of the Laws of 1898" (Int. No. 1588).

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 104 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	DeGraw	Hawkins	Meister	Sanders
Adler	Dempsey	Hitchcock	Morgan	Scanlon
Ahern	Diekinson	Holsten	Nye	Seymour

Allds	Doughty	Honeck	O'Connell	Sherer
Apgar	Dusinbery	Irwin	O'Malley	Smith A R
Axtell	Ellis	Juengst	Orr	Smith J L
Baker	Fancher	Kaiser	Patton	Smith S W
Baum	Fisher	Keenan	Phillips	Snyder
Bell	Fitzgerald	Kelly	Phipps	Stevens
Bennet	Fordyce	Kelsey	Platt	Swarts
Blackwell	Fowler	Knipp	Poth	Swift
Bradley	Galbraith	Leggett	Price	Thorn
Brooks	Gardiner R	Lewis M E	Rainey	Treat
Bruckner	Gardner C J	Lynn	Remsen	Ulmann
Burnett	Graeff	Mains	Reynolds	Vacheron
Cadin	Griffith	Marson	Rider	Van Name
Conger	Hallock	Mathews	Rierdon	Walrath
Cooley	Hammond	McInerney	Robinson	Weber
Costello	Hanford	McKeown	Rodenbeck	Weekes
Coughtry	Harburger	McMillan	Ross	Wilson H
Darrison	Hasenflug	McQuade	Ruehl	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1148)-entitled "An act to prevent adulteration of and deception in the sale of drugs, chemicals and other substances" (Int. No. 955).

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 138 }
{ NOES 3 }

Those who voted in the affirmative, were

Adams	DeGraw	Hanford	McQuade	Ruehl
Adler	Delaney	Harburger	Meister	Salyerds
Ahern	Dempsey	Harris	Morgan	Sanders
Allds	Dickey	Hasenflug	Nye	Schneider
Allston	Dickinson	Hatch	O'Brien	Seymour
Apgar	Dooling	Hawkins	O'Malley	Sherer
Axtell	Doughty	Henry	Orr	Smith A R

Babcock	Duross	Hitchcock	Patton	Smith J E
Baker	Dusinbery	Holsten	Phillips	Smith J L
Baum	Egan	Honeck	Phipps	Smith J T
Bedell	Ellis	Irwin	Plank	Smith S W
Bell	Everett	Kaiser	Platt	Smith W H
Blackwell	Fancher	Keenan	Poth	Snyder
Brill	Fish	Kelly	Price	Stevens
Brooks	Fisher	Kelsey	Prince	Sullivan
Bryan	Fitzgerald	Knipp	Rainey	Swartz
Burnett	Fitzpatrick	Landon	Reilley	Swift
Burns	Fordyce	Leggett	Remsen	Thorn
Cadin	Fowler	Lewis M E	Reynolds	Traub
Cook	Galbraith	Lewis T D	Richter	Treat
Cooley	Gardiner R	Lynn	Rider	Vacheron
Coons	Gardner C J	Mains	Rierdon	Van Name
Costello	Geoghan	Mansfield	Roberts	Waite
Cotton	Graeff	Marson	Robinson	Walrath
Coughtry	Griffith	Mathews	Rodenbeck	Weber
Daly	Hallock	McInerney	Rogers	Weekes
Darrison	Halpin	McKeown	Ross	Wilson H
Davis	Hammond	McMillan		

Those who voted in the negative, were

Bradley Hyman Ulmann

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2422) entitled "An act to amend chapter 466 of the Laws of 1866, entitled 'An act in regard to normal schools,' in relation to officers of local boards and their compensation." (Int. No. 1620.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 115 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Coughtry	Geoghan	Leggett	Rider
Adler	Darrison	Graeff	Lewis T D	Roberts
Allds	Davis	Griffith	Lynn	Robinson

Allston	DeGraw	Hallock	Mains	Rodenbeck
Apgar	Delaney	Halpin	Marson	Ross
Axtell	Dempsey	Hammond	Mathews	Salyerds
Babcock	Dickey	Hanford	McKeown	Sanders
Baker	Dickinson	Harburger	McMillan	Schneider
Baum	Dooling	Harris	McQuade	Sherer
Bedell	Doughty	Hasenflug	Meister	Smith J E
Bell	Dusinbery	Hatch	Nye	Smith J L
Bennet	Egan	Hawkins	O'Connell	Smith J T
Blackwell	Ellis	Henry	O'Malley	Smith W H
Bradley	Everett	Hitchcock	Patton	Snyder
Brill	Fancher	Holsten	Phillips	Sullivan
Brooks	Fisher	Honeck	Phipps	Swarts
Bruckner	Fitzgerald	Hyman	Plank	Thorn
Bryan	Fitzpatrick	Irwin	Poth	Treat
Burnett	Fordyce	Juengst	Price	Vacheron
Cadin	Fowler	Keenan	Prince	Waite
Cook	Frisbie	Kelly	Reilley	Weber
Cooley	Galbraith	Knipp	Remsen	Weekes
Costello	Gardner C J	Landon	Richter	Wilson H

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1218) entitled "An act to provide for dredging and deepening the channel of the Conhocton river and building a dyke along said river in the village of Painted Post, and making an appropriation therefor." (Int. No. 1003.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

(AYES 91)
(NOES 7)

Those who voted in the affirmative, were

Adams	DeGraw	Hanford	McInerney	Ross
Adler	Delaney	Harris	McMillan	Salyerds
Ahern	Dickey	Hasenflug	McQuade	Scanlon
Allston	Dooling	Hawkins	Morgan	Schneider

Axtell	Doughty	Henry	O'Brien	Sherer
Baker	Dusinbery	Hitchcock	O'Malley	Smith A R
Baum	Ellis	Honeck	Patton	Smith J L
Bell	Fancher	Irwin	Phillips	Smith S W
Bennet	Fish	Juengst	Plank	Snyder
Bradley	Fitzgerald	Kaiser	Poth	Stevens
Brooks	Fordyce	Keenan	Price	Swarts
Bruckner	Fowler	Kelly	Rainey	Thorn
Burnett	Galbraith	Knipp	Remsen	Treat
Burns	Gardiner R	Leggett	Reynolds	Vacheron
Conger	Gardner C J	Lewis T D	Rider	Waite
Cooley	Graeff	Mains	Rierdon	Weber
Costello	Hallock	Mansfield	Robinson	Weekes
Coughtry	Halpin	Marson	Rogers	Wilson H
Darrison				

Those who voted in the negative, were

Geoghan	Holsten	Kelsey	Lynn	Van Name
Harburger	Hyman			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2539) entitled "An act in relation to State printing, constituting chapter 52 of the general laws, and repealing certain acts and parts of acts inconsistent therewith." (Int. No. 1257.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 100 }
 { ' OES 00 }

Those who voted in the affirmative, were

Adams	Darrison	Hanford	McInerney	Rogers
Adler	DeGraw	Harburger	McKeown	Ross
Allds	Delaney	Hasenflug	McQuade	Salverds
Allston	Dempsey	Hawkins	Meister	Sanders
Axtell	Dickinson	Henry	Morgan	Schneider
Babcock	Doughty	Hitchcock	Nye	Seymour

Baum	Duross	Honeck	O'Brien	Smith A R
Bedell	Egan	Hyman	O'Malley	Smith J E
Bell	Ellis	Irwin	Orr	Smith S W
Blackwell	Fancher	Juengst	Phillips	Snyder
Bradley	Fisher	Kaiser	Phipps	Sullivan
Brill	Fitzgerald	Keenan	Platt	Swift
Bruckner	Fitzpatrick	Kelly	Poth	Thorn
Bryan	Fowler	Knipp	Prince	Treat
Burns	Galbraith	Landon	Reilley	Ulmann
Cadin	Gardiner R	Lewis M E	Reynolds	Waite
Cook	Gardner C J	Lewis T D	Richter	Walrath
Coons	Graeff	Lynn	Rierdon	Weber
Coughtry	Hallock	Mansfield	Roberts	Weekes
Daly	Hammond	Marson	Rodenbeck	Wilson H

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the Senate bill (No. 1164) entitled "An act to amend section 661 of the Code of Criminal Procedure in reference to the criminal insane confined in an asylum." (Rec. No. 316.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 95 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Daly	Hammond	Mansfield	Rogers
Adler	Darrison	Hanford	Mathews	Ruehl
Ahern	DeGraw	Harburger	McInerney	Sanders
Allds	Dempsey	Hasenflug	McMillan	Schneider
Apgar	Dickinson	Hatch	Meister	Sherer
Babcock	Dooling	Henry	Morgan	Smith A R
Baker	Doughty	Holsten	O'Brien	Smith J L
Bedell	Dusinbery	Honeck	O'Malley	Smith S W
Bennet	Egan	Irwin	Orr	Smith W H
Blackwell	Everett	Juengst	Phillips	Stevens
Brill	Fish	Kaiser	Plank	Swarts

Brooks	Fitzgerald	Keenan	Platt	Thorn
Bryan	Fordyce	Kelly	Price	Traub
Burnett	Frisbie	Kelsey	Rainey	Ulmann
Cadin	Galbraith	Knipp	Remsen	Vacheron
Conger	Gardner C J	Landon	Richter	Waite
Cooley	Geoghan	Leggett	Rierdon	Walrath
Costello	Griffith	Lewis T D	Roberts	Weber
Cotton	Halpin	Mains	Rodenbeck	Wilson H

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the bill (No. 2058) entitled "An act to provide for construction of a stone arch over the Canastota creek over the mouth of the State sewer emptying into said creek near the northerly side of Chappel street in the village of Canastota, and making an appropriation therefor." (Int. No. 453.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 104 }
{ NOES 1 }

Those who voted in the affirmative, were

Adams	Cotton	Hanford	Meister	Schneider
Adler	Daly	Harburger	Morgan	Seymour
Ahern	Davis	Hasenflug	O'Brien	Smith A R
Allds	Delaney	Hatch	O'Malley	Smith J E
Apgar	Dempsey	Hawkins	Orr	Smith J T
Axtell	Dickey	Hitchcock	Phillips	Smith S W
Baum	Dooling	Holsten	Phipps	Smith W H
Bedell	Duross	Hyman	Platt	Stevens
Bell	Dusinbery	Irwin	Poth	Sullivan
Bennet	Ellis	Kaiser	Prince	Swift
Bradley	Everett	Keenan	Rainey	Thorn
Blackwell	Fish	Kelly	Remsen	Treat
Brill	Fitzgerald	Knipp	Reynolds	Ulmann

Brooks	Fordyce	Leggett	Rider	Vacheron
Bruckner	Fowler	Lewis M E	Rierdon	Van Name
Bryan	Galbraith	Lynn	Robinson	Waite
Burnett	Gardiner R	Mansfield	Rodenbeck	Walrath
Cadin	Gardner C J	Marson	Rogers	Weber
Conger	Graeff	McInerney	Ruehl	Weekes
Cooley	Griffith	McKeown	Salyerds	Wilson H
Coons	Halpin	McMillan	Scanlon	

In the negative,
Kelsey

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2515) entitled "An act authorizing the Superintendent of Public Works to improve the channel of the stream in the towns of Goshen and Wawayanda in Orange county, known as the Wall-kill river, and making an appropriation therefor." (Int. No. 1374.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{	AYES	94	}
{	NOES	2	}

Those who voted in the affirmative, were

Adams	Cotton	Harris	McQuade	Seymour
Adler	Daly	Hatch	Morgan	Sherer
Ahern	Davis	Henry	Nye	Smith A R
Allds	DeGraw	Holsten	O'Connell	Smith J L
Apgar	Dempsey	Honeck	O'Malley	Smith S W
Axtell	Dickey	Hyman	Patton	Smith W H
Babcock	Dickinson	Juengst	Phipps	Snyder
Baum	Doughty	Kaiser	Platt	Sullivan
Bedell	Dusinbery	Keenan	Price	Swift
Bennet	Egan	Kelly	Prince	Thorn
Blackwell	Everett	Knipp	Reilley	Treat
Brill	Fish	Landon	Reynolds	Ulmann

Brooks	Fitzpatrick	Leggett	Rider	Vacheron
Bruckner	Fowler	Lewis M E	Rierdon	Van Name
Burnett	Gardiner R	Lynn	Robinson	Walrath
Cadin	Gardner C J	Mansfield	Rodenbeck	Weber
Cook	Griffith	Marson	Ruehl	Weekes
Cooley	Halpin	Mathews	Sanders	Wilson H
Costello	Hanford	McKeown	Scanlon	

Those who voted in the negative, were

Frisbie Kelsey

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2433) entitled "An act to amend the Tax Law in regard to the assessment of real property in two or more tax districts." (Int. No. 1354.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 90 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Darrison	Hasenflug	McKeown	Salyerds
Adler	DeGraw	Hawkins	McMillan	Sanders
Ahern	Dempsey	Henry	Meister	Schneider
Allston	Dickinson	Holsten	Morgan	Sherer
Axtell	Doughty	Honeck	O'Brien	Smith A R
Baker	Dusinbery	Irwin	O'Malley	Smith J L
Bedell	Egan	Juengst	Patton	Smith J T
Bennet	Everett	Kaiser	Phipps	Smith S W
Bradley	Fish	Keenan	Plank	Smith W H
Brill	Fitzpatrick	Kelly	Poth	Stevens
Brooks	Fordyce	Kelsey	Prince	Swarts
Bruckner	Frisbie	Knipp	Reilley	Swift
Burnett	Gardiner R	Leggett	Remsen	Traub
Cadin	Geoghan	Lewis M E	Richter	Vacheron

Conger	Griffith	Lynn	Rierdon	Van Name
Cooley	Hallock	Mains	Roberts	Walrath
Costello	Hammond	Marson	Rodenbeck	Weekes
Daly	Harburger	Mathews	Ross	Wilson H

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2480) entitled "An act to amend chapter 339 of the Laws of 1884, relative to navigation on Chautauqua lake." (Int. No. 1613.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{	AYES	102	}
{	NOES	00	}

Those who voted in the affirmative, were

Adams	Dempsey	Henry	Meister	Scanlon
Adler	Dickinson	Hitchcock	Nye	Schneider
Ahern	Dooling	Holsten	O'Brien	Seymour
Allds	Duross	Honeck	O'Malley	Sherer
Apgar	Egan	Hyman	Orr	Smith A R
Baker	Ellis	Juengst	Patton	Smith J T
Baum	Fancher	Kaiser	Phipps	Smith S W
Bennet	Fisher	Keenan	Platt	Smith W H
Blackwell	Fitzgerald	Kelly	Poth	Stevens
Brill	Fitzpatrick	Kelsey	Prince	Sullivan
Bruckner	Fowler	Knipp	Rainey	Swarts
Burnett	Galbraith	Landon	Remsen	Thorn
Burns	Gardner C J	Lewis M E	Richter	Traub
Cadin	Geoghan	Lewis T D	Rierdon	Ulmann
Cook	Griffith	Mains	Roberts	Vacheron
Cooley	Hallock	Mansfield	Rodenbeck	Van Name
Costello	Halpin	Mathews	Rogers	Waite
Cotton	Hanford	McInerney	Ruehl	Walrath
Coughtry	Harburger	McKeown	Salyerds	Weekes
Darrison	Hasenflug	McQuade	Sanders	Wilson H
DeGraw	Hawkins			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2518) entitled "An act to make the office of sheriff of the county of Queens a salaried office and regulating the management of said office." (Int. No. 872.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{	AYES	93	}
{	NOES	00	}

Those who voted in the affirmative, were

Adams	Dempsey	Henry	Morgan	Schneider
Adler	Dickinson	Holsten	O'Brien	Sherer
Ahern	Doughty	Honeck	O'Connell	Smith J E
Allston	Duross	Irwin	Orr	Smith J L
Axtell	Dusinbery	Kaiser	Patton	Smith S W
Babcock	Ellis	Keenan	Phipps	Stevens
Bedell	Fancher	Kelly	Plank	Sullivan
Bennet	Fish	Kelsey	Poth	Swift
Bradley	Fisher	Knipp	Price	Thorn
Brooks	Fitzgerald	Landon	Rainey	Traub
Bryan	Fordyce	Lewis M E	Reilley	Ulmann
Burnett	Galbraith	Lewis T D	Reynolds	Vacheron
Conger	Gardner C J	Lynn	Rider	Van Name
Cook	Griffith	Mains	Roberts	Waite
Coons	Hallock	Mansfield	Robinson	Walrath
Costello	Hammond	Mathéws	Rogers	Weber
Cotton	Hanford	McKeown	Salyerds	Weekes
Daly	Hasenflug	McQuade	Scanlon	Wilson H
DeGraw	Hatch	Meister		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the Senate bill (No. 1268) entitled "An act to provide for the payment of the claim of M. A. Diamond, executrix of the estate of John Dia-

mond deceased, for labor and material furnished in grammar school No. 76 in the Nineteenth Ward of the city of New York" (Rec. No. 354.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 106 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Delaney	Hatch	Meister	Schneider
Adler	Dempsey	Hawkins	Morgan	Seymour
Allds	Dickinson	Hitchcock	O'Brien	Sherer
Allston	Dooling	Honeck	O'Connell	Smith J E
Axtell	Duross	Irwin	O'Malley	Smith J L
Babcock	Dusinbery	Juengst	Orr	Smith J T
Baker	Ellis	Kaiser	Phillips	Smith S W
Baum	Fancher	Keenan	Phipps	Snyder
Bell	Fish	Kelly	Plank	Stevens
Blackwell	Fitzgerald	Knipp	Poth	Sullivan
Brill	Fitzpatrick	Landon	Price	Swift
Bruckner	Fowler	Leggett	Rainey	Thorn
Burnett	Galbraith	Lewis M E	Remsen	Traub
Burns	Gardiner R	Lewis T D	Reynolds	Ulmann
Cadin	Geoghan	Mains	Rider	Vacheron
Coons	Graeff	Mansfield	Roberts	Van Name
Cooley	Hallock	Marson	Rodenbeck	Waite
Coons	Halpin	Mathews	Rogers	Walrath
Cotton	Hammond	McInerney	Ruehl	Weber
Coughtry	Harburger	McMillan	Salyerds	Weekes
Darrison	Hasenflug	McQuade	Sanders	Wilson H
Davis				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 625) entitled "An act to reappropriate money for the con-

struction of a swing bridge over Black Rock harbor at Ferry street, in the city of Buffalo, and to make an additional appropriation therefor." (Rec. No. 391.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{	AYES	98	}
{	NOES	00	}

Those who voted in the affirmative, were

Adams	DeGraw	Hasenflug	Meister	Ruehl
Adler	Delaney	Hawkins	Morgan	Salyerds
Allds	Dempsey	Hitchcock	Nye	Scanlon
Allston	Dickinson	Honeck	O'Brien	Seymour
Apgar	Dooling	Hyman	O'Malley	Smith A R
Babcock	Doughty	Juengst	Orr	Smith J L
Baum	Dusinbery	Kaiser	Phillips	Smith J T
Bell	Ellis	Keenan	Phipps	Smith W H
Bennet	Fancher	Kelly	Plank	Stevens
Bradley	Fisher	Kelsey	Platt	Swarts
Brooks	Fitzgerald	Knipp	Poth	Thorn
Bruckner	Fordyce	Landon	Prince	Traub
Burnett	Frisbie	Lewis M E	Rainey	Treat
Burns	Gardiner R	Lewis T D	Reilley	Vacheron
Conger	Geoghan	Lynn	Reynolds	Waite
Cook	Graeff	Mansfield	Richter	Walrath
Coons	Hallock	Mathews	Rierdon	Weber
Cotton	Halpin	McInerney	Robinson	Weekes
Coughtry	Hanford	McKeown	Rogers	Wilson H
Darrison	Harris	McQuade		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1480) entitled "An act to amend the State Finance Law, relating to payments to the State Treasurer by State officers, employes, boards, departments or commissions." (Rec. No. 446.)

Said bill was read the second time.

On motion of Mr. Higgins, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 92 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Dickey	Hasenflug	Marson	Rodenbeck
Ahern	Dickinson	Hawkins	McInerney	Ross
Allds	Doughty	Henry	McMillan	Salyerds
Apgar	Dusinbery	Hitchcock	McQuade	Sanders
Axtell	Egan	Holsten	Morgan	Schneider
Baker	Everett	Honeck	O'Brien	Seymour
Bedell	Fancher	Hyman	O'Malley	Smith A R
Burnett	Fish	Irwin	Orr	Smith J L
Bradley	Fisher	Juengst	Patton	Smith S W
Brill	Fordyce	Kaiser	Phipps	Smith W H
Bruckner	Fowler	Keenan	Platt	Stevens
Burnett	Frisbie	Kelly	Poth	Swarts
Burns	Galbraith	Knipp	Prince	Traub
Conger	Gardiner R	Landon	Rainey	Ulmann
Cooley	Geoghan	Lewis M E	Remsen	Van Name
Costello	Griffith	Lewis T D	Reynolds	Walrath
Coughtry	Halpin	Mains	Rierdon	Weekes
Davis	Hanford	Mansfield	Robinson	Wilson H
Delaney	Harris			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 799) entitled "An act to amend chapter 73 of the Laws of 1898, amendatory of chapter 337 of the Laws of 1897, entitled 'An act conferring additional powers upon trust companies within the counties of this State containing upwards of 300,000 and less than 600,000 inhabitants.'" (Rec. No. 342.)

Said bill was read the second time.

On motion of Mr. Rogers, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{	AYES	89	}
{	NOES	00	}

Those who voted in the affirmative, were

Adams	Davis	Hatch	Orr	Seymour
Adler	Delaney	Hawkins	O'Brien	Smith A R
Ahern	Dickey	Hitchcock	Patton	Smith J L
Allston	Dooling	Honeck	Phipps	Smith S W
Axtell	Doughty	Irwin	Plank	Smith W H
Baker	Dusinbery	Kaiser	Platt	Snyder
Bedell	Ellis	Keenan	Poth	Stevens
Bell	Fancher	Kelsey	Prince	Sullivan
Blackwell	Fisher	Knipp	Reilley	Swift
Bradley	Fitzpatrick	Landon	Remsen	Thorn
Brill	Fowler	Lewis M E	Richter	Traub
Bruckner	Galbraith	Lynn	Rierdon	Ulmann
Bryan	Gardner C J	Mansfield	Robinson	Vacheron
Cadin	Geoghan	Marson	Rogers	Van Name
Cook	Griffith	McInerney	Ross	Walrath
Coons	Halpin	McMillan	Ruehl	Weekes
Cotton	Hanford	Meister	Sanders	Wilson H
Daly	Harris	Nye	Scanlon	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1481) entitled "An act to amend the Banking Law in relation to the powers and privileges of trust companies." (Rec. No. 451.)

Said bill was read the second time.

On motion of Mr. Rogers, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 101 }
} NOES 18 }

Those who voted in the affirmative, were

Allds	DeGraw	Harris	Nye	Sherer
Allston	Delaney	Hatch	O'Brien	Smith A R
Apgar	Dickey	Henry	O'Malley	Smith J E
Axtell	Dickinson	Hitchcock	Orr	Smith J T
Baker	Doughty	Irwin	Patton	Smith S W
Bedell	Dusinbery	Kelly	Phillips	Smith W H
Bell	Ellis	Kelsey	Phipps	Snyder
Bradley	Fancher	Knipp	Plank	Stevens
Brill	Fish	Landon	Platt	Sullivan
Brooks	Fisher	Leggett	Remsen	Swarts
Bryan	Fordyce	Lewis M E	Reynolds	Swift
Burnett	Fowler	Lewis T D	Rierdon	Thorn
Burns	Galbraith	Lynn	Roberts	Traub
Cadin	Gardiner R	Mains	Robinson	Treat
Conger	Gardner C J	Mansfield	Rodenbeck	Vacheron
Cooley	Graeff	McInerney	Rogers	Waite
Coons	Griffith	McKeown	Ross	Walrath
Costello	Hallock	McMillan	Ruehl	Weber
Cotton	Hammond	McQuade	Salyerds	Weekes
Coughtry	Hanford	Morgan	Schneider	Wilson H
Darrison				

Those who voted in the negative, were

Blackwell	Fitzgerald	Hyman	Meister	Richter
Daly	Harburger	Juengst	O'Connell	Sanders
Dooling	Hasenflug	Kaiser	Reilly	Van Name
Duross	Holsten	Mathews		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 979) entitled "An act making an appropriation for the State Industrial School." (Rec. No. 203.)

Said bill was read the second time.

On motion of Mr. M. E. Lewis, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 94 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	DeGraw	Hitchcock	Morgan	Sanders
Adler	Dempsey	Holsten	Nye	Schneider
Ahern	Dickinson	Hyman	O'Brien	Seymour
Allston	Doughty	Juengst	O'Connell	Sherer
Apgar	Duross	Kaiser	Orr	Smith J E
Babcock	Egan	Keenan	Patton	Smith J T
Baker	Everett	Kelly	Phillips	Smith S W
Bedell	Fish	Kelsey	Phipps	Snyder
Bennet	Fitzgerald	Knipp	Platt	Stevens
Bradley	Fordyce	Leggett	Poth	Swarts
Brooks	Frisbie	Lewis M E	Prince	Swift
Bryan	Gardiner R	Lewis T D	Rainey	Traub
Burns	Geoghan	Lains	Remsen	Treat
Conger	Griffith	Mansfield	Reynolds	Van Name
Cooley	Hallock	Mathews	Rider	Waite
Costello	Hammond	McInerney	Roberts	Weber
Coughtry	Harburger	McKeown	Rodenbeck	Weekes
Daly	Hasenflug	McMillan	Ross	Wilson H
Darrison	Hawkins	Meister	Ruehl	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1421) entitled "An act to amend chapter 115 of the Laws of

1898, entitled 'An act to provide for the improvement of the public highways' relative to the maintenance of highways as amended by chapter 293 of the Laws of 1900 and chapter 109 of the Laws of 1901." (Rec. No. 425.)

Said bill was read the second time.

On motion of Mr. M. E. Lewis, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{	AYES	97	}
{	NOES	00	}

Those who voted in the affirmative, were

Adams	Daly	Hasenflug	Meister	Scanlon
Adler	Darrison	Hawkins	Morgan	Schneider
Ahern	DeGraw	Hitchcock	Nye	Seymour
Apgar	Dempsey	Honeck	O'Connell	Smith A R
Babcock	Dickinson	Irwin	O'Malley	Smith J L
Baker	Dooling	Juengst	Orr	Smith J T
Baum	Duross	Kaiser	Phillips	Smith W H
Bedell	Egan	Keenan	Phipps	Snyder
Bennet	Ellis	Kelly	Plank	Sullivan
Blackwell	Everett	Kelsey	Poth	Swift
Bradley	Fish	Landon	Price	Thorn
Brooks	Fitzgerald	Leggett	Rainey	Traub
Bruckner	Fordyce	Lewis T D	Reynolds	Treat
Burnett	Fowler	Lynn	Rider	Ulmann
Burns	Galbraith	Mansfield	Rierdon	Van Name
Conger	Gardiner R	Marson	Robinson	Waite
Cook	Geoghan	Mathews	Rogers	Walrath
Cooley	Griffith	McInerney	Ruehl	Weekes
Costello	Hammond	McMillan	Salyerds	Wilson H
Coughtry	Harburger			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1345) entitled "An act to amend chapter 52 of the Laws of 1893, entitled 'An act to make the office of county clerk of Columbia county a salaried office and regulating the management of said office,' in relation to assistants." (Rec. No. 371.)

Said bill was read the second time.

On motion of Mr. S. W. Smith, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{	AYES	93	}
{	NOES	00	}

Those who voted in the affirmative, were

Adams	Coughtry	Hammond	Mathews	Salyerds
Adler	Daly	Harburger	McKeown	Scanlon
Ahern	Darrison	Hasenflug	McQuade	Schneider
Allds	DeGraw	Hatch	Morgan	Sherer
Apgar	Delaney	Henry	O'Brien	Smith J E
Babcock	Dickey	Holsten	O'Malley	Smith J L
Baum	Dooling	Honeck	Patton	Smith S W
Bedell	Duross	Irwin	Phipps	Snyder
Bell	Egan	Juengst	Platt	Stevens
Bradley	Everett	Kaiser	Poth	Swarts
Brill	Fancher	Keenan	Prince	Swift
Bruckner	Fisher	Kelly	Rainey	Traub
Bryan	Fitzpatrick	Kelsey	Remsen	Ulmann
Burnett	Fowler	Knipp	Richter	Vacheron
Cadin	Galbraith	Leggett	Rider	Waite
Conger	Gardner C J	Lewis M E	Roberts	Walrath
Cooley	Graeff	Lewis T D	Rodenbeck	Weber
Coons	Hallock	Mains	Ross	Wilson H
Costello	Halpin	Marson		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1039) entitled "An act authorizing the board of estimate and apportionment of the city of New York to take proof of the claim of the Wodside Water Company for compensation for water furnished to Long Island City, and to audit and allow such claim and to provide for the payment thereof." (Rec. No. 335.)

Said bill was read the second time.

On motion of Mr. Sullivan, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

	{ AYES 89 }
	{ NOES 2 }

Those who voted in the affirmative, were

Adams	DeGraw	Hammond	Meister	Sherer
Adler	Delaney	Harburger	O'Brien	Smith A R
Ahern	Dickey	Harris	O'Malley	Smith J E
Allston	Dooling	Hatch	Patton	Smith J T
Axtell	Doughty	Hawkins	Phipps	Smith S W
Baker	Dusinbery	Hitchcock	Plank	Smith W H
Bedell	Ellis	Honeck	Poth	Snyder
Bennet	Everett	Hyman	Price	Stevens
Bradley	Fancher	Irwin	Rainey	Swift
Brooks	Fisher	Keenan	Remsen	Thorn
Bruckner	Fitzgerald	Kelly	Richter	Traub
Burnett	Fordyce	Landon	Rider	Ulmann
Cadin	Frisbie	Lewis M E	Rierdon	Van Name
Cook	Galbraith	Lynn	Robinson	Waite
Coons	Gardner C J	Mansfield	Rogers	Walrath
Cotton	Graeff	Mathews	Ruehl	Weber
Coughtry	Griffith	McKeown	Sanders	Wilson H
Darrison	Halpin	McMillan	Schneider	

Those who voted in the negative, were

Allds	Kelsey
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Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 963) entitled "An act to amend section 5 of the Railroad Law in relation to forfeiture of corporate existence." (Rec. No. 398.)

Said bill was read the second time.

On motion of Mr. Burnett, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 104 }
{ NOES 15 }

Those who voted in the affirmative, were

Adams	Darrison	Harris	Nye	Salzerds
Adler	Davis	Hatch	O'Brien	Scanlon
Alds	Dickinson	Henry	O'Connell	Schneider
Allston	Doughty	Hitchcock	O'Malley	Smith A R
Apgar	Dusinbery	Irwin	Orr	Smith J E
Axtell	Egan	Juengst	Patton	Smith J L
Babcock	Ellis	Kelly	Phillips	Smith J T
Baker	Everett	Kelsey	Phipps	Smith S W
Bedell	Fancher	Knipp	Plank	Smith W H
Bell	Fish	Landon	Platt	Snyder
Brill	Fitzgerald	Leggett	Price	Stevens
Brooks	Fitzpatrick	Lewis M E	Rainey	Swarts
Bryan	Fordyce	Lewis T D	Reilley	Swift
Burnett	Fowler	Lynn	Remsen	Thorn
Cadin	Galbraith	Mains	Reynolds	Traub
Conger	Gardiner R	Mansfield	Rierdon	Treat
Cook	Gardner C J	Marson	Roberts	Vacheron
Cooley	Graeff	McInerney	Robinson	Waite
Coons	Griffith	McKeown	Rodenbeck	Walrath
Costello	Hallock	McMillan	Rogers	Weber
Cotton	Hammond	McQuade	Ross	Weekes
Coughtry	Hanford	Morgan	Ruehl	

Those who voted in the negative, were

Baum	Dempsey	Harburger	Hyman	Meister
Bradley	Dickey	Hasenflug	Kaiser	Sanders
Daly	Doolling	Holsten	Mathews	Van Name

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1406) entitled "An act to amend section 93 of the Railroad Law in relation to consents and percentages." (Rec. No. 435.)

Said bill was read the second time.

On motion of Mr. Burnett, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 104 }
{ NOES 4 }

Those who voted in the affirmative, were

Adams	Duross	Kelly	Patton	Schneider
Adler	Dusinbery	Kelsey	Phillips	Sherer
Allds	Egan	Knipp	Phipps	Smith A R
Allston	Everett	Landon	Plank	Smith J E
Axtell	Fish	Leggett	Platt	Smith J L
Babcock	Fisher	Lewis M E	Poth	Smith J T
Baker	Fitzgerald	Lewis T D	Price	Smith S W
Bedell	Fitzpatrick	Mains	Prince	Smith W H
Bennet	Frisbie	Mansfield	Rainey	Snyder
Bradley	Gardiner R	Marson	Reilley	Stevens
Brooks	Geoghan	Mathews	Remsen	Sullivan
Bruckner	Hallock	McInerney	Reynolds	Swarts
Burnett	Halpin	McKeown	Richter	Swift
Cadin	Hammond	McMillan	Rider	Thorn
Conger	Harburger	McQuade	Rierdon	Traub
Cooley	Hasenflug	Meister	Roberts	Treat

Costello	Hawkins	Nye	Robinson	Vacheron
Coughtry	Holsten	O'Brien	Ross	Walrath
Darrison	Hyman	O'Connell	Ruehl	Weber
Delaney	Kaiser	O'Malley	Salyerds	Wilson H
Dempsey	Keenan	Orr	Scanlon	

Those who voted in the negative, were

Dooling	Sanders	Seymour	Van Name
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Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Babcock moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker the Clerk called the roll, when the following members responded:

Adler	Cotton	Geoghan	McInerney	Rodenbeck
Allds	Coughtry	Graeff	McMillan	Rogers
Allston	Darrison	Griffith	McQuade	Ross
Apgar	Davis	Hallock	Meister	Ruehl
Axtell	Dempsey	Hammond	Morgan	Salyerds
Babcock	Dickey	Hanford	Nye	Schneider
Baker	Dickinson	Harburger	O'Malley	Seymour
Baum	Dooling	Harris	Orr	Sherer
Bedell	Doughty	Hasenflug	Patton	Smith A R
Bell	Duross	Hatch	Phillips	Smith J L
Blackwell	Dusinbery	Henry	Phipps	Smith J T
Bradley	Egan	Hitchcock	Plank	Smith S W
Brill	Ellis	Holsten	Platt	Smith W H
Brooks	Everett	Irwin	Poth	Stevens
Bruckner	Fancher	Kaiser	Price	Swift
Bryan	Fisher	Keenan	Prince	Thorn
Burnett	Fitzgerald	Kelsey	Reilley	Traub
Burns	Fitzpatrick	Leggett	Remsen	Treat
Cadin	Fordyce	Lewis T D	Reynolds	Vacheron
Conger	Fowler	Lynn	Richter	Van Name
Cook	Frisbie	Mansfield	Rierdon	Waite
Cooley	Galbraith	Marson	Roberts	Walrath
Coons	Gardiner R	Mathews	Robinson	Weekes
Costello	Gardner C J			

Mr. Allds moved that all further proceedings under the call of the House be suspended.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker announced the special order, being the Senate bill (No. 882) entitled "An act to amend the Public Health Law, relative to the practice of pharmacy in State institutions." (Rec. No. 260.)

Said bill having been announced for a second reading,

Mr. Henry moved that said bill be recommitted to the committee on rules, retaining its place on the order of second reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker announced the special order, being the Senate bill (No. 1433) entitled "An act to amend section 87 of the Forest, Fish and Game Law, in relation to fishing in Orange county." (Rec. No. 449.)

Said bill was read the second time.

On motion of Mr. Goodsell, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{	AYES	89	}
{	NOES	00	}

Those who voted in the affirmative, were

Adams	Coughtry	Hanford	McKeown	Salyerds
Adler	Daly	Harris	McQuade	Sanders
Allds	DeGraw	Hatch	Meister	Schneider
Allston	Delaney	Henry	Nye	Sherer
Apgar	Dickey	Holsten	O'Brien	Smith J E
Babcock	Dooling	Honeck	O'Connell	Smith J T
Baum	Duross	Irwin	Orr	Smith W H
Bedell	Ellis	Juengst	Phillips	Stevens
Bennet	Fancher	Kaiser	Phipps	Swarts
Bradley	Fisher	Keenan	Platt	Thorn
Brooks	Fitzgerald	Kelly	Price	Treat

Bruckner	Fordyce	Kelsey	Rainey	Vacheron
Bryan	Frisbie	Knipp	Reilley	Waite
Burns	Gardiner R	Leggett	Reynolds	Walrath
Cadin	Gardner C J	Lewis T D	Rider	Weber
Conger	Geoghan	Mains	Roberts	Weekes
Cook	Griffith	Marson	Rodenbeck	Wilson H
Coons	Halpin	Mathews	Ross	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 282) entitled "An act to amend the Public Health Law, relating to local boards of health." (Rec. No. 140.)

Said bill having been announced for a second reading,

On motion of Mr. Brill, said bill was laid aside retaining its place on the order of second reading.

Mr. Speaker announced the special order, being the Senate bill (No. 1343) entitled "An act to amend section 885 of the Code of Civil Procedure, relating to deposition to be used on motion." (Rec. No. 382.)

Said bill was read the second time.

On motion of Mr. Weekes, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 95 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Costello	Hammond	McKeown	Salyerds
Adler	Coughtry	Harburger	McMillan	Scanlon
Ahern	Daly	Hasenflug	Meister	Schneider
Allston	Davis	Hatch	Nye	Sherer
Apgar	Delaney	Henry	O'Connell	Smith J E
Axtell	Dickey	Holsten	O'Malley	Smith J L

Babcock	Dooling	Honeck	Patton	Smith S W
Baker	Duross	Irwin	Phillips	Smith W H
Bedell	Dusinbery	Juengst	Plank	Stevens
Bennet	Ellis	Kaiser	Poth	Swarts
Blackwell	Fancher	Keenan	Prince	Swift
Brill	Fisher	Kelly	Rainey	Traub
Brooks	Fitzpatrick	Kelsey	Remsen	Ulmann
Bryan	Fowler	Knipp	Reynolds	Ulmann
Burnett	Galbraith	Leggett	Rider	Van Name
Burns	Gardner C J	Lewis T D	Rierdon	Waite
Conger	Geoghan	Mains	Robinson	Weber
Cook	Griffith	Marson	Rogers	Weekes
Coons	Halpin	Mathews	Ruehl	Wilson H

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 458) entitled "An act to amend chapter 93 of the Laws of 1891, entitled 'An act to authorize the city of Utica to borrow money by the issue of bonds, to provide for their redemption and to appoint commissioners for changing the channel of the Mohawk river between said city and the town of Deerfield in Oneida county' in relation to the title to the channel of said river." (Rec. No. 202.)

Said bill was read the second time.

On motion of Mr. McQuade, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 103 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Dickinson	Hatch	O'Connell	Sanders
Adler	Dooling	Henry	O'Malley	Scanlon
Allds	Doughty	Hitchcock	Patton	Seymour

Apgar	Duross	Honeck	Phipps	Sherer
Babcock	Dusinbery	Hyman	Plank	Smith A R
Baker	Ellis	Juengst	Platt	Smith J E
Bedell	Everett	Kaiser	Price	Smith J T
Bell	Fish	Keenan	Rainey	Smith S W
Blackwell	Fitzgerald	Kelly	Reilley	Smith W H
Brill	Fitzpatrick	Kelsey	Remsen	Snyder
Bruckner	Fowler	Landon	Richter	Stevens
Bryan	Galbraith	Leggett	Rider	Swarts
Burns	Gardiner R	Lewis T D	Rierdon	Swift
Conger	Gardner C J	Mains	Roberts	Traub
Cook	Geoghan	Mansfield	Robinson	Treat
Coons	Graeff	Mathews	Rodenbeck	Ulmann
Costello	Griffith	McKeown	Rogers	Van Name
Coughtry	Hallock	McMillan	Ross	Walrath
Darrison	Hammond	McQuade	Ruehl	Weber
DeGraw	Harburger	Meister	Salyerds	Wilson H
Dempsey	Hasenflug	Nye		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 457) entitled "An act to amend chapter 189 of the Laws of 1900, entitled 'An act to authorize the city of Utica to borrow money for bridges and their approaches and to issue bonds therefor,' in relation to bridges over new channel of Mohawk river, etc." (Rec. No. 211.)

Said bill was read the second time.

On motion of Mr. McQuade, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 90 }
 { NOES 00 }

Those who voted in the affirmative, were

Adams	Dickey	Honeck	Morgan	Scanlon
Adler	Dooling	Hyman	O'Brien	Seymour
Ahern	Duross	Juengst	O'Malley	Smith A R
Allds	Dusinbery	Kaiser	Orr	Smith J L
Apgar	Ellis	Keenan	Phillips	Smith J T
Babcock	Fancher	Kelly	Plank	Smith S W
Bedell	Fisher	Kelsey	Poth	Snyder
Bennet	Fitzpatrick	Knipp	Price	Sullivan
Blackwell	Fowler	Landon	Rainey	Swift
Brill	Galbraith	Leggett	Reilley	Thorn
Bruckner	Gardner C J	Lewis T D	Remsen	Treat
Bryan	Geoghan	Mains	Richter	Ulmann
Burns	Graeff	Mansfield	Rider	Vacheron
Cook	Hallock	Marson	Roberts	Waite
Costello	Hammond	Mathews	Rodenbeck	Walrath
Daly	Harburger	McInerney	Rogers	Weber
DeGraw	Hatch	McMillan	Ruehl	Weekes
Dempsey	Henry	McQuade	Salyerds	Wilson H

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1404) entitled "An act to define the rights of persons and corporations engaged in the business of storing personal chattels, and to regulate the said business." (Rec. No. 432.)

Said bill having been announced for a second reading,

Mr. Daly moved to amend as follows:

Strike out all of section 2, beginning with line 20 on page 4, and ending with line 8 on page 5, and insert the words "such lien of a warehouseman shall not however be prior or superior to the lien of a chattel mortgage duly filed, nor to the lien of a vendor in a conditional sale or a sale upon installments where the lease or instrument of sale has been executed in duplicate and a duplicate has been delivered to the vendee.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. O'Connell moved that said bill be recommitted to the committee on rules, retaining its place on the order of third reading.

Mr. Speaker put the question whether the House would agree to said motion of Mr. O'Connell, and it was determined in the negative.

On motion of Mr. H. Wilson, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

(AYES 92)
(NOES 10)

Those who voted in the affirmative, were

Adams	Coons	Hallock	O'Brien	Seymour
Ahern	Costello	Hammond	O'Malley	Sherer
Allds	Cotton	Harris	Patton	Smith J E
Allston	Coughtry	Henry	Phipps	Smith S W
Apgar	Darrison	Hitchcock	Plank	Smith W H
Axtell	Davis	Irwin	Platt	Snyder
Babcock	Dickinson	Kelsey	Price	Stevens
Baker	Doughty	Landon	Rainey	Sullivan
Bedell	Dusinbery	Leggett	Remsen	Swarts
Bell	Egan	Lewis M E	Reynolds	Swift
Bennet	Fancher	Lewis T D	Roberts	Thorn
Blackwell	Fish	Mains	Robinson	Traub
Brill	Fisher	Mansfield	Rodenbeck	Vacheron
Brooks	Fordyce	Marson	Rogers	Waite
Bryan	Fowler	McMillan	Ruehl	Walrath
Burnett	Galbraith	McQuade	Salyerds	Weber
Cadin	Gardner C J	Morgan	Sanders	Weekes
Conge	Graeff	Nye	Schneider	Wilson H
Coons	Griffith			

Those who voted in the negative, were

Daly	Duross	Holsten	Kaiser	O'Connell
Dooling	Fitzpatrick	Hyman	Lynn	Prince

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1208) entitled "An act to amend section 21 of the Railroad Law and relative to the powers of electric light and power corporations." (Rec. No. 331.)

Said bill was read the second time.

On motion of Mr. Bedell, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 91 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Daly	Halpin	McInerney	Ross
Adler	Darrison	Hanford	McKeown	Salyerds
Ahern	Davis	Harris	McQuade	Scanlon
Allds	DeGraw	Hatch	Meister	Schneider
Apgar	Dempsey	Hawkins	Nye	Sherer
Axtell	Dickey	Hitchcock	O'Connell	Smith A R
Babcock	Dooling	Holsten	O'Malley	Smith J L
Baker	Duross	Hyman	Phillips	Smith S W
Bedell	Egan	Juengst	Phipps	Smith W H
Bennet	Everett	Kaiser	Platt	Stevens
Bradley	Fish	Keenan	Price	Swarts
Brooks	Fisher	Kelsey	Prince	Thorn
Bruckner	Fitzpatrick	Knipp	Reilley	Treat
Burnett	Fordyce	Landon	Remsen	Ulmann
Cadin	Frisbie	Lewis M E	Richter	Van Name
Conger	Gardner C J	Lynn	Rierdon	Walrath
Cooley	Graeff	Mansfield	Robinson	Weekes
Costello	Griffith	Mathews	Rogers	Wilson H
Cotton				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 337) entitled "An act to incorporate the Utica Corn Hill Benefit Association of the city of Utica." (Rec. No. 385.)

Said bill was read the second time.

On motion of Mr. McQuade, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 104 }
 { NOES 00 }

Those who voted in the affirmative, were

Ahern	Coughtry	Hanford	McQuade	Ruehl
Allds	Daly	Harburger	Morgan	Salyerds
Ahern	Davis	Hasenflug	Nye	Scanlon
Allds	DeGraw	Hatch	O'Brien	Schneider
Apgar	Dempsey	Henry	O'Malley	Seymour
Babcock	Dickey	Hitchcock	Orr	Sherer
Baker	Dickinson	Honeck	Patton	Smith A R
Bedell	Doughty	Irwin	Phillips	Smith J L
Bell	Dusinbery	Juengst	Plank	Smith J T
Bennet	Ellis	Keenan	Platt	Smith S W
Blackwell	Fancher	Kelly	Poth	Snyder
Bradley	Fish	Kelsey	Prince	Sullivan
Brill	Fisher	Knipp	Rainey	Swarts
Bruckner	Fitzpatrick	Landon	Remsen	Thorn
Bryan	Fowler	Leggett	Reynolds	Traub
Burns	Frisbie	Lewis M E	Richter	Ulmann
Cadin	Gardiner R	Lynn	Rierdon	Vacheron
Cook	Geoghan	Mansfield	Roberts	Walrath
Cooley	Graeff	Meister	Robinson	Weber
Oons	Hallock	McInerney	Rodenbeck	Wilson H
Cotton	Halpin	McMillan	Ross	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 459) entitled "An act in relation to furnishing free text books to the pupils of the common schools of the city of Utica, at the expense of said city." (Rec. No. 418.)

Said bill was read the second time.

On motion of Mr. McQuade, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 97 }
 { NOES 00 }

Those who voted in the affirmative, were

Adams	Cotton	Halpin	McKeown	Rogers
Adler	Daly	Hanford	McMillan	Ruehl
Ahern	Darrison	Harburger	McQuade	Sanders
Alds	DeGraw	Hasenflug	Meister	Schneider
Allston	Delaney	Hawkins	Nye	Seymour
Axtell	Dempsey	Hitchcock	O'Brien	Smith A R
Babcock	Dickinson	Honeck	O'Malley	Smith J E
Baker	Doughty	Irwin	Patton	Smith J T
Bedell	Dusinbery	Juengst	Phipps	Smith W H
Bell	Ellis	Keenan	Plank	Stevens
Blackwell	Everett	Kelly	Platt	Sullivan
Bradley	Fish	Kelsey	Price	Swift
Brooks	Fisher	Landon	Rainey	Traub
Bruckner	Fitzgerald	Leggett	Reilley	Treat
Bryan	Fordyce	Lewis M E	Reynolds	Vacheron
Burns	Frisbie	Lynn	Rider	Van Name
Cadin	Gardiner R	Mansfield	Rierdon	Walrath
Conger	Gardner C J	Marson	Roberts	Weekes
Cooley	Graeff	Mathews	Rodenbeck	Wilson H
Coons	Hallock			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No.525) entitled "An act to amend chapter 330 of the Laws of 1889, entitled 'An act requiring the county clerks of each of the counties of this State to keep a register of the moneys directed by the judgments, decrees and orders of the court to be deposited with the county treasurer of his county,' in relation to the duties of the county clerks of New York, Queens and Richmond counties in keeping a register of moneys deposited or ordered to be deposited with the city chamberlain." (Rec. No. 419.)

Said bill was read the second time.

On motion of Mr. Rider, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 96 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Coughtry	Geoghan	Mansfield	Rodenbeck
Adler	Daly	Griffith	Mathews	Ross
Ahern	Darrison	Hallock	McKeown	Salyerds
Allds	DeGraw	Hammond	McMillan	Scanlon
Allston	Delaney	Harburger	Meister	Seymour
Axtell	Dickey	Harris	Nye	Smith A R
Babcock	Dickinson	Hatch	O'Brien	Smith J L
Baker	Dooling	Henry	O'Malley	Smith J T
Bedell	Duross	Hitchcock	Patton	Smith W H
Bell	Dusinbery	Honeck	Phipps	Snyder
Blackwell	Ellis	Hyman	Plank	Sullivan
Bradley	Fancher	Kaiser	Poth	Swift
Brooks	Fish	Keenan	Price	Thorn
Bryan	Fitzgerald	Kelly	Rainey	Treat
Burnett	Fitzpatrick	Knipp	Remsen	Vacheron
Cadin	Fowler	Landon	Reynolds	Van Name

Conger	Frisbie	Lewis M E	Rider	Walrath
Cook	Galbraith	Lewis T D	Rierdon	Weekes
Coons	Gardiner R	Lynn	Robinson	Wilson H
Costello				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1119) entitled "An act authorizing the selection of certain lands in the town of Ausable, Clinton county, and the town of Chesterfield, Essex county, known as the 'Ausable chasm,' with a view of acquiring the same for a State park, preserving the scenery thereof, and making it a place of public resort and pleasure." (Rec. No. 384.)

Said bill was read the second time.

On motion of Mr. O'Brien, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES	88 }
{ NOES	2 }

Those who voted in the affirmative, were

Adams	Daly	Hanford	McInerney	Ross
Adler	Davis	Harris	McMillan	Ruehl
Ahern	Delaney	Hatch	Morgan	Sanders
Allston	Dickey	Henry	Nye	Schneider
Apgar	Dickinson	Holsten	O'Malley	Sherer
Axtell	Doughty	Honeck	Orr	Smith J E
Baker	Dusinbery	Irwin	Patton	Smith J T
Bedell	Ellis	Juengst	Phillips	Smith W H
Bennet	Fancher	Kaiser	Plank	Stevens
Blackwell	Fish	Keenan	Poth	Swarts
Brill	Fitzgerald	Kelly	Price	Thorn
Bruckner	Fordyce	Knipp	Rainey	Treat
Burnett	Frisbie	Landon	Remsen	Ulmann

Burns	Gardiner R	Leggett	Richter	Van Name
Conger	Gardner C J	Lewis T D	Rierdon	Waite
Cooley	Graeff	Lynn	Roberts	Weber
Costello	Hallock	Mansfield	Rodenbeck	Wilson H
Coughtry	Halpin	Marson		

Those who voted in the negative, were

Allds Kelsey

Ordered, That the Clerk return said bill to the Senate, with a message the the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1144) entitled "An act to amend section 394 of the Penal Code." (Rec. No. 416.)

Said bill was read the second time.

On motion of Mr. Bennet, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 91 }
{ NOES 28 }

Those who voted in the affirmative, were

Adams	Coons	Hanford	O'Brien	Schneider
Ahern	Costello	Harris	O'Malley	Seymour
Allds	Cotton	Hatch	Patton	Sherer
Allston	Coughtry	Hitchcock	Phillips	Smith A R
Apgar	Darrison	Irwin	Phipps	Smith J L
Axtell	Davis	Kelsey	Plank	Smith J T
Babcock	Dickinson	Knipp	Platt	Smith S W
Baker	Dusinbery	Landon	Price	Smith W H
Bedell	Ellis	Leggett	Rainey	Stevens
Bell	Everett	Lewis M E	Remsen	Swarts
Bennet	Fish	Lewis T D	Reynolds	Swift
Blackwell	Fisher	Mains	Roberts	Thorn
Brill	Fowler	Mansfield	Robinson	Traub

Brooks	Galbraith	Marson	Rodenbeck	Vacheron
Bryan	Graeff	McMillan	Rogers	Waite
Burnett	Griffith	McQuade	Ross	Walrath
Cadin	Hallock	Morgan	Ruehl	Weber
Conger	Hammond	Nye	Salyerds	Weekes
Cook				

Those who voted in the negative, were

Baum	Halpin	Hyman	Prince	Scanlon
Burns	Harburger	Juengst	Reilley	Smith J E
Dooling	Hasenflug	Kaiser	Rider	Sullivan
Egan	Hawkins	McInerney	Rierdon	Ulmann
Fitzgerald	Holsten	McKeown	Sanders	Van Name
Geoghan	Honeck	Poth		

Ordered, That the Clerk return said bill to the Senate, with a message the the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1389) entitled "An act to amend chapter 214 of the Laws of 1888, entitled 'An act to revise the charter of the city of Binghamton,' relative to school buildings." (Rec. No. 412.)

Said bill was read the second time.

On motion of Mr. Rogers, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 100 }
{ NOES 06 }

Those who voted in the affirmative, were

Adams	Daly	Harris	McMillan	Sanders
Adler	Davis	Hatch	McQuade	Scanlon
Ahern	DeGraw	Henry	Meister	Seymour
Allds	Dempsey	Hitchcock	Nye	Sherer
Apgar	Dickinson	Honeck	O'Brien	Smith J E
Axtell	Dooling	Hyman	O'Malley	Smith J L

Baker	Doughty	Juengst	Patton	Smith S W
Baum	Dusinbery	Kaiser	Phillips	Smith W H
Bedell	Ellis	Keenan	Plank	Snyder
Bennet	Fancher	Kelly	Platt	Sullivan
Bradley	Fisher	Kelsey	Price	Swift
Brill	Fitzpatrick	Landon	Prince	Thorn
Bruckner	Fowler	Leggett	Reilley	Traub
Bryan	Frisbie	Lewis M E	Reynolds	Treat
Burnett	Gardiner R	Lewis T D	Richter	Ulmann
Cadin	Gardner C J	Lynn	Rierdon	Van Name
Cook	Graeff	Mains	Roberts	Waite
Cooley	Hallock	Marson	Rodenbeck	Weber
Costello	Halpin	Mathews	Ross	Weekes
Coughtry	Hanford	McInerney	Ruehl	Wilson H

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1439) entitled "An act ratifying the laying out and construction of Pelham avenue, from Webster avenue to Southern boulevard in the borough of the Bronx in the city of New York, and authorizing persons assessed for said work to apply to the Supreme Court, first department, for relief from the assessment laid therefor." (Rec. No. 428.)

Said bill was read the second time.

On motion of Mr. Bruckner, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 102 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Daly	Harris	McInerney	Rogers
Adler	Davis	Hatch	McKeown	Ruehl
Ahern	DeGraw	Henry	McQuade	Sanders

Allston	Dempsey	Hitchcock	Morgan	Scanlon
Apgar	Dickinson	Honeck	Nye	Seymour
Axtell	Doughty	Hyman	O'Brien	Sherer
Baker	Duross	Juengst	O'Connell	Smith J E
Baum	Egan	Kaiser	O'Malley	Smith J L
Bell	Ellis	Keenan	Orr	Smith S W
Bennet	Everett	Kelly	Phillips	Snyder
Blackwell	Fish	Kelsey	Phipps	Stevens
Bradley	Fitzgerald	Knipp	Platt	Sullivan
Brooks	Fitzpatrick	Landon	Poth	Swarts
Bruckner	Fowler	Leggett	Prince	Traub
Bryan	Frisbie	Lewis M E	Reilley	Treat
Burns	Gardiner R	Lewis T D	Remsen	Ulmann
Cadin	Geoghan	Mains	Richter	Van Name
Cook	Griffith	Mansfield	Rider	Waite
Coons	Hallock	Marson	Roberts	Weber
Costello	Hammond	Mathews	Rodenbeck	Wilson H
Coughtry	Harburger			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1280) entitled "An act to incorporate Saint Rose's settlement of the Catholic Social Union." (Rec. No. 396.)

Said bill was read the second time.

On motion of Mr. Sullivan, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 99 {
 { NOES 00 {

Those who voted in the affirmative, were

Adams	Coughtry	Hammond	McMillan	Scanlon
Adler	Darrison	Harburger	McQuade	Seymour
Allds	DeGraw	Harris	Morgan	Smith A R
Allston	Delaney	Hasenflug	Nye	Smith J E

Apgar	Dickey	Hawkins	O'Brien	Smith J L
Axtell	Dooling	Henry	O'Malley	Smith S W
Babcock	Doughty	Holsten	Patton	Smith W H
Baum	Dusinbery	Honeck	Phipps	Stevens
Bell	Egan	Irwin	Plank	Sullivan
Blackwell	Everett	Juengst	Poth	Swift
Bradley	Fish	Keenan	Price	Traub
Brill	Fitzgerald	Kelly	Rainey	Treat
Brooks	Fitzpatrick	Knipp	Remsen	Ulmann
Bryan	Fordyce	Landon	Reynolds	Vacheron
Burnett	Frisbie	Leggett	Rider	Van Name
Cadin	Galbraith	Lewis M E	Rierdon	Walrath
Conger	Gardner C J	Lynn	Robinson	Weber
Cooley	Geoghan	Mansfield	Rogers	Weekes
Coons	Griffith	Marson	Ross	Wilson H
Cotton	Hallock	McInerney	Salyerds	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 338) entitled "An act to amend chapter 212 of the Laws of 1888, being the charter of the city of Ithaca, and providing for the adoption of a sanitary code in and for said city, and providing for the punishment of violations thereof in said city." (Rec. No. 436.)

Said bill was read the second time.

On motion of Mr. Conger, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 89 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Coughtry	Hallock	McInerney	Rogers
Adler	Darrison	Hammond	McKeown	Ruehl
Ahern	DeGraw	Hanford	McQuade	Sanders

Allston	Dempsey	Harris	Marson	Schneider
Apgar	Dickey	Hatch	Nye	Seymour
Axtell	Dooling	Henry	O'Connell	Smith A R
Babcock	Duross	Holsten	Orr	Smith J L
Baum	Dusinbery	Honeck	Patton	Smith S W
Bedell	Ellis	Irwin	Phipps	Snyder
Bennet	Fancher	Juengst	Plank	Sullivan
Bradley	Fish	Keenan	Poth	Swift
Brooks	Fitzgerald	Kelly	Prince	Thorn
Bruckner	Fitzpatrick	Knipp	Rainey	Ulmann
Burnett	Fowler	Landon	Remsen	Vacheron
Cadin	Galbraith	Lewis M E	Richter	Waite
Cook	Gardiner R	Lynn	Rider	Weber
Cooley	Geoghan	Mains	Roberts	Wilson H
Costello	Griffith	Marson	Rodenbeck	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the Special order, being the Senate bill (No. 1470) entitled "An act to further amend the act entitled 'An act to incorporate the United States Mortgage Company,' passed May 12, 1871, relative to the offices of said company (now named United States Mortgage and Trust Company)." (Rec. No. 441.)

Said bill was read the second time.

On motion of Mr. Fish, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 108 }
{ NOES 1 }

Those who voted in the affirmative, were

Adams	Cotton	Hallock	McMillan	Salyerds
Adler	Daly	Hammond	McQuade	Sanders
Ahern	Darrison	Hanford	Morgan	Scanlon
Allston	DeGraw	Harris	O'Brien	Seymour

Apgar	Delaney	Hatch	O'Malley	Smith A R
Babcock	Dempsey	Hawkins	Orr	Smith J E
Baker	Dickinson	Henry	Patton	Smith J L
Baum	Dooling	Holsten	Phipps	Smith S W
Bedell	Doughty	Honeck	Plank	Smith W H
Bell	Dusinbery	Irwin	Platt	Snyder
Bennet	Ellis	Juengst	Price	Sullivan
Bradley	Everett	Kaiser	Prince	Swarts
Brill	Fish	Keenan	Reilley	Swift
Brooks	Fisher	Kelly	Remsen	Traub
Bruckner	Fitzgerald	Kelsey	Reynolds	Treat
Burnett	Fitzpatrick	Knipp	Rider	Ulmann
Burns	Fordyce	Leggett	Rierdon	Vacheron
Conger	Fowler	Lewis M E	Roberts	Waite
Cook	Galbraith	Lynn	Rodenbeck	Weber
Cooley	Gardner C J	Mansfield	Rogers	Weekes
Costello	Geoghan	Marson	Ross	Wilson H
Frisbie	Griffith	McInerney		

In the negative,

Alds

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1453) entitled "An act to amend chapter 740 of the Laws of 1896, entitled 'An act to amend the charter of the Hebrew Benevolent and Orphan Asylum Society of the city of New York, and to authorize its appointment as general guardian of the person and property of infants under its care and control.'" (Rec. No. 426.)

Said bill was read the second time.

On motion of Mr. Harberger, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 98 }
 { NOES 00 }

Those who voted in the affirmative, were

Adams	Cook	Hallock	McInerney	Rogers
Adler	Costello	Hammond	McKeown	Ruehl
Ahern	Coughtry	Harburger	McQuade	Salyerds
Alds	Daly	Harris	Meister	Scanlon
Allston	Davis	Hatch	Nye	Seymour
Apgar	Delaney	Hawkins	O'Brien	Smith A R
Axtell	Dickey	Hitchcock	O'Malley	Smith J L
Babcock	Dickinson	Honeck	Orr	Smith S W
Baker	Doughty	Hyman	Patton	Snyder
Baum	Dusinbery	Juengst	Phipps	Stevens
Bell	Ellis	Kaiser	Plank	Swarts
Bennet	Fancher	Keenan	Poth	Swift
Blackwell	Fisher	Kelly	Price.	Traub
Bradley	Fitzgerald	Kelsey	Rainey	Treat
Brill	Fitzpatrick	Knipp	Remsen	Vacheron
Brooks	Fowler	Leggett	Reynolds	Van Name
Bruckner	Galbraith	Lewis T D	Rider	Walrath
Bryan	Gardner C J	Lynn	Roberts	Weekes
Burns	Geoghan	Mansfield	Robinson	Wilson H
Conger	Griffith	Mathews		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1305) entitled "An act entitled An act to amend chapter 182 of the Laws of 1892, entitled 'An act to incorporate the city of Mount Vernon.'" (Rec. No. 380.

Said bill was read the second time.

On motion of Mr. Mains, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 108 }
 { NOES 00 }

Those who voted in the affirmative, were

Adams	Dickinson	Hitchcock	O'Connell	Salyerds
Adler	Dooling	Honeck	O'Malley	Sanders
Ahern	Duross	Hyman	Orr	Scanlon
Allds	Dusinbery	Juengst	Phillips	Schneider
Apgar	Egan	Kaiser	Phipps	Sherer
Baker	Everett	Keenan	Plank	Smith A R
Bell	Fancher	Kelly	Platt	Smith J L
Blackwell	Fisher	Kelsey	Poth	Smith J T
Brill	Fitzgerald	Knipp	Price	Smith W H
Brooks	Fordyce	Leggett	Prince	Snyder
Bruckner	Fisher	Lewis T D	Rainey	Sullivan
Burnett	Gardiner R	Lynn	Reilley	Swift
Cadin	Gardner C J	Mains	Remsen	Thorn
Conger	Graeff	Mansfield	Reynolds	Traub
Cooley	Griffith	Marson	Richter	Ulmann
Coons	Halpin	McInerney	Rider	Vacheron
Cotton	Hammond	McKeown	Rierdon	Waite
Daly	Hanford	McQuade	Robinson	Walrath
Darrison	Harris	Meister	Rodenbeck	Weber
Davis	Hasenflug	Morgan	Rogers	Weekes
Delaney	Hawkins	Nye	Ross	Wilson H
Dempsey	Henry	O'Brien		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

By unanimous consent, Mr. Allds called up the Senate bill (No. 998) entitled "An act to authorize the construction of a wrought iron steel bridge over the Erie canal west of the upper Mohawk aqueduct and for the construction of the approaches thereto, and making an appropriation therefor" (Rec. No. 3891), and moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 99 }
 { NOES 00 }

Those who voted in the affirmative, were

Adams	Cotton	Halpin	McInerney	Scanlon
Adler	Daly	Hammond	McMillan	Schneider
Ahern	Darrison	Harburger	Meister	Sherer
Allds	DeGraw	Hasenflug	Nye	Smith A R
Allston	Dempsey	Hawkins	O'Connell	Smith J L
Apgar	Dickey	Henry	O'Malley	Smith J T
Babcock	Dooling	Holsten	Orr	Smith W H
Baker	Doughty	Honeck	Phillips	Stevens
Baum	Dusinbery	Irwin	Plank	Swarts
Bell	Ellis	Juengst	Poth	Swift
Bennet	Everett	Kaiser	Price	Thorn
Blackwell	Fish	Keenan	Rainey	Traub
Brill	Fitzgerald	Kelly	Remsen	Ulmann
Brooks	Fitzpatrick	Kelsey	Richter	Vacheron
Bruckner	Fowler	Knipp	Rider	Van Name
Burnett	Galbraith	Landon	Roberts	Waite
Burns	Gardiner R	Lewis M E	Rodenbeck	Weber
Conger	Gardner C J	Lewis T D	Rogers	Weekes
Cook	Graeff	Mansfield	Ross	Wilson H
Costello	Griffith	Mathews	Salyerds	

By unanimous consent, Mr. Allds called up the Senate bill (No. 1393) entitled "An act to amend the State Finance Law, relating to the disposal of State moneys" (Rec. No. 407) and moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 94 }
 { NOES 00 }

Those who voted in the affirmative, were

Adams	Davis	Hitchcock	O'Connell	Smith A R
Adler	Delaney	Honeck	Orr	Smith J L
Allds	Dickey	Irwin	Phipps	Smith J T
Apgar	Dooling	Juengst	Platt	Smith S W
Babcock	Doughty	Kaiser	Price	Smith W H
Baum	Dusinbery	Keenan	Prince	Snyder

Bell	Egan	Kelly	Reilley	Stevens
Bennet	Everett	Kelsey	Remsen	Sullivan
Bradley	Fish	Landon	Richter	Swift
Brill	Fitzgerald	Leggett	Rider	Thorn
Bruckner	Fowler	Lewis T D	Roberts	Treat
Burnett	Galbraith	Mains	Rodenbeck	Ulmann
Burns	Gardner C J	Mansfield	Rogers	Vacheron
Conger	Graeff	McInerney	Ross	Waite
Cooley	Hallock	McKeown	Salyerds	Walrath
Costello	Hammond	McQuade	Sanders	Weber
Cotton	Harburger	Meister	Scanlon	Weekes
Daly	Hasenflug	Nye	Schneider	Wilson H
Darrison	Hawkins	O'Brien	Sherer	

The Senate returned the bill (No. 2070, Senate reprint No. 1498) entitled "An act to amend the Tax Law, relative to foreign and domestic corporations" (Int. No. 301), with a message that they have concurred in the passage of the same, with the following amendment:

Strike out all after the enacting clause and insert the following:

Section 1. Section one hundred and eighty-one of chapter nine hundred and eight of the laws of eighteen hundred and ninety-six, entitled "An act in relation to taxation constituting chapter twenty-four of the general laws," is hereby amended to read as follows:

§ 181. **License tax on foreign corporations.**—Every foreign corporation, [joint-stock company or association,] except banking corporations, fire, marine, casualty and life insurance companies, [and corporations wholly engaged in carrying on manufactures in this state] cooperative fraternal insurance companies and building and loan associations, authorized to do business under the general corporation law, shall pay to the state treasurer, for the use of the state, a license fee of one-eighth of one per centum for the privilege of exercising its corporate franchises or carrying on its business in such corporate or organized capacity in this state, to be computed upon the basis of the capital stock employed by it within this state, during the first year of carrying on its business in this state; and if any year thereafter any such corporation shall employ an increased amount of its capital stock within this state, the same license fee shall be due and payable upon any such increase. The tax imposed by this section on a corporation not heretofore subject to its provisions shall be paid

on the first day of December, nineteen hundred and one, to be computed upon the basis of the amount of capital stock employed by it within the state during the year preceding such date, unless on such date such corporation shall not have employed capital within the state for a period of thirteen months in which case it shall be paid within the time otherwise provided by this section. No action shall be maintained or recovery had in any of the courts in this state by such foreign corporation without obtaining a receipt for the license fee hereby imposed within thirteen months after beginning such business within the state, or if at the time this section takes effect such a corporation has been engaged in business within this state for more than twelve months, without obtaining such receipt within thirty days after such tax is due.

§ 2. Section one hundred and eighty-two of said chapter is hereby amended to read as follows:

§ 182. Every corporation, joint stock company or association incorporated, organized or formed under, by or pursuant to law in this state, shall pay to the state treasurer annually an annual tax to be computed upon the basis of the amount of its capital stock employed within this state, and upon each dollar of such amount, at the rate of one-quarter of a mill for each one per centum of dividends made and declared upon its capital stock during each year, ending with the thirty-first day of October, if the dividends amount to six or more than six per centum upon the par value of such capital stock. If such dividend or dividends amount to less than six per centum on the par value of the capital stock, the tax shall be at the rate of one and one-half mills upon such portion of the capital stock at par as the amount of capital employed within this state bears to the entire capital of the corporation. If no dividend is made or declared, the tax shall be at the rate of one and one-half mills upon each dollar of the appraised capital employed within this state. If such corporation, joint stock company or association shall have more than one kind of capital stock, and upon one of such kinds of stock a dividend or dividends amounting to six or more than six per centum upon the par value thereof, has been made or declared, and upon the other no dividend has been made or declared, or the dividend or dividends made or declared thereon amount to less than six per centum upon the par value thereof, then the tax shall be at the rate of one-quarter of a mill for each one per centum of dividends made or declared upon the capital stock upon the par value of which the dividend or dividends made or declared amount to six or more than six per centum, and in addition thereto, a tax shall be charged at the rate of one and one-half mills upon every dollar of the valuation made in accordance with the provisions of

this act of the capital stock upon which no dividend was made or declared, or upon the par value of which the dividend or dividends made or declared did not amount to six per centum; provided, however, that a street surface railroad corporation or a steam railroad corporation, owning in a city a street surface railroad not operated by steam, in cases where the street surface roads of said owning corporations are operated by another street surface railroad corporation under a lease or otherwise, in so far as the dividends made and declared upon the capital stock of the said owning corporations shall be paid from the gross earnings of the said operating corporation in the form of rent or otherwise, shall only be required under this section to pay a tax of three per centum upon the dividends declared and paid from the moneys received in the form of rent or otherwise from the operating company in excess of four per centum upon the amount of its capital stock, provided, however, that nothing in this section shall relieve the said operating company of any of the liabilities imposed by section one hundred and eighty-five of this chapter. Every corporation, joint stock company or association organized, incorporated or formed under the laws of any other state or country shall pay a like tax for the privilege of exercising its corporate franchises or carrying on its business in such corporate or organized capacity in this state, to be computed upon the basis of the capital employed by it within this state.

§ 3. Section one hundred and eighty-three of the tax law, as amended by chapter seven hundred and eighty-five of the laws of eighteen hundred and ninety-seven, is hereby amended to read as follows:

§ 183. Certain corporations exempt from tax on capital stock.—Banks, savings banks, institutions for savings, title guaranty, insurance or surety corporations, every trust company incorporated, organized or formed, under, by or pursuant to a law of this state, and any company authorized to do a trust company business solely or in connection with any other business, under a general or special law of this state, laundry corporations, manufacturing corporations to the extent only of the capital actually employed in this state in manufacturing, and in the sale of the product of such manufacturing, mining corporations, wholly engaged in mining ores within this state, agricultural and horticultural societies or associations, and corporations, joint-stock companies or associations operating elevated railroads [railways] or surface railroads not operated by steam, or formed for supplying water or gas for electric or steam heating, lighting or power purposes, and liable to a tax under sections one hundred and eighty-five and one hundred and eighty-six of this chapter, shall

be exempt from the payment of the taxes prescribed by section one hundred and eighty-two of this chapter. [This exemption shall not be construed to include title guaranty or trust companies.] But such a laundrying, manufacturing or mining corporation shall not be exempted from the payment of such tax, unless at least forty per centum of the capital stock of such corporation is invested in property in this state and used by it in its laundrying, manufacturing or mining business in this state.

§ 4. Section one hundred and ninety-four of such chapter as amended by chapter one hundred and eighteen of the laws of nineteen hundred and one, and by chapter one hundred and thirty-two of the laws of nineteen hundred and one, is hereby amended to read as follows:

§ 194. Payment of tax and penalty for failure.—A tax imposed by section one hundred and eighty-two or one hundred and eighty-six of this chapter, shall be due and payable into the state treasury on or before the fifteenth day of January in each year. A tax imposed by section one hundred and eighty-four of this chapter on a transportation or transmission corporation, or by section one hundred and eighty-five, on elevated railroads or surface railroads not operated by steam shall be due and payable into the state treasury or before the first day of August in each year. A tax imposed by section one hundred and eighty-seven of this chapter on an insurance corporation shall be due and payable into the state treasury on or before the first day of June in each year. A tax imposed by section one hundred and eighty-seven-a [.] or one hundred and eighty-seven-b [or one hundred and eighty-seven-c] shall be due and payable into the state treasury on or before the first day of September in each year. A tax imposed by section one hundred and eighty-eight of this chapter on a foreign banker shall be due and payable into the state treasury on or before February first in each year. If such tax in any case is not paid within thirty days after the same becomes due, or if the report of any such corporation is not made within the time required by this article, the corporation, association, joint stock company, person or partnership, liable to pay the tax, shall pay into the state treasury in addition to the amount of such tax, a sum equal to five per centum thereof, and one per centum additional for each month the tax remains unpaid, which sum shall be added to the tax and paid or collected therewith. Every corporation, association, joint stock company, person or partnership failing to make the annual report required by this article, or failing to make any special report required by the comptroller, within any reasonable time to be specified by him, shall forfeit to the people of the state the sum of one hundred dollars for

every such failure, and the additional sum of ten dollars for each day that such failure continues. Such tax shall be a lien upon and bind all the real and personal property of the corporation, joint stock company or association liable to pay the same from the time when it is payable until the same is paid in full.

§ 5. This act shall take effect immediately.

Mr. M. E. Lewis moved that said bill be recommitted to the committee on taxation and retrenchment, with instructions to report the same forthwith further amended as follows:

Page 4, line 14, after the word "corporation" insert the words "or an elevated railroad corporation;" also after the word "railroad," at the end of said line, insert the words "or an elevated railroad."

Same page, line 15, after the word "roads" insert the words "or elevated roads."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. M. E. Lewis, from the committee on taxation and retrenchment, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

A message from the Governor was received and read in the words following:

STATE OF NEW YORK—EXECUTIVE CHAMBER.

To the Legislature:

It appearing to my satisfaction that the public interest requires it;

Therefore, In accordance with the provisions of section 15 of article 3 of the Constitution, and by virtue of the authority thereby conferred upon me, I do hereby certify to the necessity of the immediate passage of Assembly bill No. 2070 (Senate reprint No. 1498), entitled "An act to amend the tax law relative to foreign and domestic corporations," as amended.

Given under my hand and the privy seal of the State at the Capitol, in the city of Albany this eighteenth day of
[SEAL.] April, in the year of our Lord one thousand nine hundred and one.

B. B. ODELL, JR.

By the Governor:

JAS. G. GRAHAM,

Secretary to the Governor.

[ASSEM. JOURNAL.]

Mr. Speaker put the question whether the House would agree to the final passage of said bill, as amended by Senate and Assembly, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three fifths being present:

{ AYES 100 }
{ NOES 45 }

Those who voted in the affirmative, were

Adams	Cotton	Hallock	O'Brien	Seymour
Adler	Coughtry	Hammond	O'Malley	Sherer
Ahern	Darrison	Hanford	Orr	Smith A R
Allds	Davis	Harris	Patton	Smith J L
Axtell	DeGraw	Hatch	Phillips	Smith J T
Babcock	Dickinson	Henry	Phipps	Smith S W
Baker	Doughty	Hitchcock	Plank	Smith W H
Bedell	Dusinbery	Irwin	Platt	Snyder
Bell	Ellis	Kelsey	Price	Stevens
Bennet	Everett	Knipp	Rainey	Swarts
Blackwell	Fancher	Landon	Remsen	Swift
Brill	Fish	Leggett	Reynolds	Thorn
Brooks	Fisher	Lewis M E	Roberts	Traub
Bryan	Fordyce	Lewis T D	Robinson	Treat
Burnett	Fowler	Mains	Rodenbeck	Vacheron
Cadin	Galbraith	Mansfield	Rogers	Waite
Conger	Gardiner R	Marson	Ross	Walrath
Cook	Gardner C J	McMillan	Ruehl	Weber
Coons	Graeff	McQuade	Salyerds	Weekes
Costello	Griffith	Nye	Schneider	Wilson H

Those who voted in the negative, were

Baum	Duross	Hawkins	Mathews	Richter
Bradley	Egan	Holsten	McInerney	Rider
Bruckner	Fitzgerald	Honeck	McKeown	Rierdon
Burns	Fitzpatrick	Hyman	Meister	Sanders
Daly	Frisbie	Juengst	Morgan	Scanlon
Delaney	Geoghan	Kaiser	O'Connell	Smith J E
Dempsey	Halpin	Keenan	Poth	Sullivan
Dickey	Harburger	Kelly	Prince	Ulmann
Dooling	Hasenflug	Lynn	Reilley	Van Name

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto and have further amended the same.

The Senate returned the bill (No. 1616, Senate reprint No. 1376) entitled "An act making appropriations for the New York State Reformatory at Elmira or the Elmira Reformatory, and reappropriating moneys appropriated by chapter 359 of the Laws of 1900 for some of the same purposes" (Int. No. 1054), with a message that they have concurred in the passage of the same, with the following amendments:

Page 2, line 6, after the word "switches," strike out the words "et cetera."

Mr. Knipp moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 104 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Dickinson	Hitchcock	O'Connell	Sanders
Adler	Dooling	Holsten	O'Malley	Scanlon
Ahern	Duross	Honeck	Orr	Schneider
Allston	Egan	Hyman	Patton	Sherer
Apgar	Ellis	Juengst	Phillips	Smith A R
Baker	Fancher	Kaiser	Phipps	Smith J L
Baum	Fisher	Keenan	Plank	Smith S W
Bedell	Fitzgerald	Kelly	Platt	Snyder
Bell	Fitzpatrick	Kelsey	Poth	Stevens
Bennet	Fordyce	Landon	Price	Sullivan
Bradley	Frisbie	Leggett	Rainey	Swarts
Brooks	Galbraith	Lewis T D	Reilley	Swift
Bryan	Gardner C J	Lynn	Reynolds	Traub
Burnett	Geoghan	Mains	Richter	Ulmann
Cadin	Graeff	Marson	Rider	Vacheron
Cook	Hallock	McInerney	Rierdon	Waite
Coons	Hammond	McKeown	Roberts	Walrath
Cotton	Hanford	McQuade	Rodenbeck	Weber
Daly	Harris	Meister	Rogers	Weekes
Davis	Hatch	Morgan	Ross	Wilson H
Dempsey	Hawkins	Nye	Salyerds	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the bill (No. 1547, Senate reprint No. 1488) entitled "An act to amend chapter 700 of the Laws of 1895, entitled 'An act to extend the time of commencement or construction or completion of railroads other than street surface railroads,' in relation to certificates of board of railroad commissioners" (Int. No. 964), with a message that they have concurred in the passage of the same, with the following amendments:

Page 1, line 9, after the word "any" insert the word "steam."

Mr. Axtel moved to concur in the Senate amendment.

Mr. Speaker put the question whether the House would concur in said amendment, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 119 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Daly	Hammond	McKeown	Salyerds
Adler	Darrison	Hanford	McQuade	Sanders
Ahern	Davis	Harburger	Meister	Schneider
Allds	Delaney	Harris	Morgan	Sherer
Allston	Dempsey	Hasenflug	O'Brien	Smith A R
Apgar	Dickey	Hawkins	O'Connell	Smith J L
Axtell	Dickinson	Henry	O'Malley	Smith J T
Babcock	Dooling	Holsten	Orr	Smith S W
Baum	Doughty	Honeck	Patton	Smith W H
Bell	Dusinbery	Hyman	Phillips	Snyder
Bennet	Ellis	Irwin	Phipps	Stevens
Bradley	Everett	Juengst	Platt	Sullivan
Brill	Fish	Kaiser	Price	Swarts
Brooks	Fisher	Keenan	Prince	Swift
Bryan	Fitzgerald	Kelly	Reilly	Traub
Burnett	Fitzpatrick	Kelsey	Remsen	Treat
Burns	Fordyce	Landon	Reynolds	Ulmann
Conger	Fowler	Leggett	Richter	Vacheron
Cook	Frisbie	Lewis M E	Rider	Van Name

Cooley	Gardiner R	Lewis T D	Rierdon	Walrath
Coons	Gardner CJ	Mains	Roberts	Weber
Costello	Geoghan	Mansfield	Robinson	Weekes
Cotton	Hallock	Marson	Rogers	Wilson H
Coughtry	Halpin	McInerney	Ross	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendment of the Senate thereto.

The Senate returned the bill (No. 1821, Senate reprint No. 1499) entitled "An act making an appropriation for the Syracuse State Institution for Feeble-Minded Children" (Int. No. 1091), with a message that they have concurred in the passage of the same, with the following amendments:

Strike out all after enacting clause and insert the following:

Section 1. The following sums are hereby appropriated for uses and purposes of the Syracuse state institution for feeble minded children, from any moneys in the treasury not otherwise appropriated: For installing watchman's clock system, eight hundred dollars; for brick corridor to connect with the north wing to the boys' building one thousand dollars; for renewal of laundry machinery one thousand six hundred dollars; for stone and cement sidewalks one thousand dollars; the sum of six thousand five hundred and forty-six dollars and fifty cents, being the unexpended balance of the appropriation of six thousand five hundred eighty-seven dollars made by chapter four hundred nineteen of the laws of nineteen hundred, for the erection of a building and connection of a corridor for general bath house is hereby reappropriated for improving the plumbing and drainage system; the sum of two thousand eight hundred dollars being the unexpended balance of the appropriation of two thousand eight hundred dollars, made by chapter four hundred nineteen of the laws of nineteen hundred for plumbing, drainage and steam fitting for the bath house is hereby reappropriated for improving the heating system.

§ 2. The plans and specifications for the work authorized by section one of this act shall be subject to the approval of the board of managers and of the state board of charities as provided by law. The state architect shall prepare necessary plans and specifications and shall supervise and control as architect all work of constructing authorized by this act. No contract shall be made covering more than one appropriation unless with the approval of the state comptroller and on the advice of the state architect. Work under this act shall be done by contract except work which in the opinion of the state comptroller and the state

architect can be done in whole or in part more advantageously by the employment of inmates or civilian labor, either or both, and the purchase of material in the open market, but no compensation shall be allowed for inmate labor. All expenditures under this act shall be made pursuant to contracts or estimates duly approved by the comptroller, and in the case of construction by the state architect also. No item of said appropriation shall be available except for advertising unless a contract or contracts according to the plans and specifications, or estimate or estimates therefor, shall have been first for the completion thereof, within the appropriation therefor. All contracts shall have the performance thereof secured by a sufficient bond or bonds approved by and filed with the comptroller together with a copy of the contract and specification, and when submitting contracts for the approval of the state comptroller, all original bids or proposals, with abstract thereof, shall accompany the contract. Money herein appropriated shall only be advanced to the board of managers as the work progresses or the purchase of material is made, and upon bills duly certified, rendered and audited.

§ 3. This act shall take effect immediately.

Mr. Hammond moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 97 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Cotton	Griffith	Marson	Ross
Adler	Coughtry	Halpin	McInerney	Salyerds
Ahern	Darrison	Hammond	McMillan	Scanlon
Allston	Davis	Harburger	McQuade	Sherer
Apgar	Delaney	Hasenflug	Morgan	Smith A R
Axtell	Dempsey	Hawkins	O'Brien	Smith J L
Baker	Dickinson	Henry	O'Connell	Smith J T
Baum	Dooling	Holsten	Patton	Smith W H
Bedell	Duross	Hyman	Phipps	Snyder
Bennet	Dusinbery	Irwin	Platt	Sullivan
Bradley	Ellis	Kaiser	Poth	Swarts
Brill	Fancher	Keenan	Prince	Thorn
Bryan	Fish	Kelly	Reilley	Traub
Burnett	Fitzgerald	Kelsey	Remsen	Ulmann
Burns	Fitzpatrick	Landon	Richter	Vacheron

Conger	Fordyce	Leggett	Rierdon	Van Name
Cook	Frisbie	Lewis T D	Roberts	Walrath
Cooley	Galbraith	Lynn	Rodenbeck	Weber
Coons	Gardner C J	Mansfield	Rogers	Weekes
Costello	Geoghan			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the bill (No. 2285, Senate reprint No. 1496) entitled "An act making an appropriation for the completion, construction, improvements to grounds, and repair of certain buildings of the New York State Soldiers' and Sailors' Home at Bath" (Int. No. 427), with a message that they have concurred in the passage of the same with the following amendments:

Page 1, line 1, after the word "forty" strike out the word "three," and insert the word "six;" after the word "thousand" strike out the word "five" and insert the word "eight."

Mr. Platt moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 121 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Delaney	Harris	Morgan	Seymour
Adler	Dempsey	Hatch	Nye	Sherer
Ahern	Dickinson	Hawkins	O'Brien	Smith A R
Allds	Dooling	Henry	O'Malley	Smith J E
Apgar	Doughty	Holsten	Orr	Smith J L
Axtell	Dusinbery	Honeck	Patton	Smith J T
Babcock	Egan	Hyman	Phipps	Smith S W
Baker	Ellis	Juengst	Plank	Smith W H
Bedell	Everett	Kaiser	Platt	Snyder
Bell	Fish	Keenan	Price	Stevens
Blackwell	Fisher	Kelly	Prince	Sullivan

Bradley	Fitzgerald	Kelsey	Rainey	Swarts
Brooks	Fitzpatrick	Knipp	Remsen	Swift
Bruckner	Fordyce	Landon	Reynolds	Thorn
Bryan	Fowler	Leggett	Richter	Traub
Burns	Frisbie	Lewis T D	Rierdon	Treat
Cadin	Galbraith	Lynn	Roberts	Ulmann
Conger	Gardiner R	Mains	Robinson	Vacheron
Cook	Gardner C J	Marson	Rodenbeck	Van Name
Coons	Griffith	Mathews	Rogers	Waite
Costello	Hallock	McInerney	Ruehl	Walrath
Cotton	Halpin	McKeown	Salverds	Weber
Daly	Hammond	McMillan	Scanlon	Weekes
Darrison	Hanford	McQuade	Schneider	Wilson H
DeGraw				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the bill (No. 1538, Senate reprint No. 1516) entitled "An act to amend the Tax Law, relating to taxable transfers and particularly to exceptions and limitations thereunder" (Int. No. 172), with a message that they have concurred in the passage of the same, with the following amendments:

Strike out all after the enacting clause and insert the following:

Section 1. Section two hundred and twenty-one of chapter nine hundred and eight of the laws of eighteen hundred and ninety-six, entitled "An act in relation to taxation, constituting chapter twenty-four of the general laws," as amended by chapter eighty-eight of the laws of eighteen hundred and ninety-eight, is hereby amended to read as follows:

§ 221. Exceptions and limitations.—When the property or any beneficial interest therein passes by any such transfer to or for the use of any father, mother, husband, wife, child, brother, sister, wife or widow of a son or the husband of a daughter, or any child or children adopted as such in conformity with the laws of this state, of the decedent, grantor, donor or vendor, or to any child, to whom any such decedent, grantor, donor or vendor for not less than ten years prior to such transfer stood in the mutually acknowledged relation of a parent, provided, however, such relationship began at or before the child's fifteenth birthday and was continuous for said ten years thereafter, or to any lineal descendant of such decedent, grantor, donor or ven-

dor born in lawful wedlock, such transfer of property shall not be taxable under this act, unless it is personal property of the value of ten thousand dollars or more, in which case it shall be taxable under this act at the rate of one per centum upon the clear market value of such property. But any property heretofore or hereafter devised or bequeathed to any person who is a bishop or to any religious corporation including corporations organized exclusively for bible or tract purposes shall be exempted from and not subject to the provisions of this act. There shall also be exempted from and not subject to the provisions of this act personal property other than money or securities bequeathed to a corporation or association organized exclusively for the moral or mental improvement of men or women or for charitable, benevolent, missionary, hospital, infirmary, educational, scientific, literary, library, patriotic, cemetery or historical purposes or for the enforcement of laws relating to children or animals or for two or more of such purposes and used exclusively for carrying out one or more of such purposes. But no such corporation or association shall be entitled to such exemption if any officer, member, or employe thereof shall receive or may be lawfully entitled to receive any pecuniary profit from the operations thereof except reasonable compensation for services in effecting one or more of such purposes or as proper beneficiaries of its strictly charitable purposes; or if the organization thereof for any such avowed purpose be a guise or pretense for directly or indirectly making any other pecuniary profit for such corporation or association or for any of its members or employes or if it be not in good faith organized or conducted exclusively for one or more of such purposes.

§ 2. This act shall take effect immediately.

Mr. M. E. Lewis moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 113 }
{ NOES 1 }

Those who voted in the affirmative, were

Adams	Delaney	Hasenflug	Meister	Schneider
Adler	Dickey	Hatch	Morgan	Seymour
Ahern	Dickinson	Hawkins	Nye	Smith A R

Allston	Doughty	Henry	O'Connell	Smith J E
Apgar	Duross	Hitchcock	O'Malley	Smith J T
Axtell	Dusinbery	Holsten	Orr	Smith S W
Baker	Ellis	Honeck	Phillips	Smith W H
Baum	Fancher	Hyman	Phipps	Snyder
Bedell	Fish	Irwin	Platt	Stevens
Bennet	Fitzgerald	Juengst	Price	Sullivan
Blackwell	Fitzpatrick	Kaiser	Prince	Swift
Brill	Fowler	Keenan	Reilley	Thorn
Brooks	Frisbie	Kelly	Remsen	Traub
Bruckner	Galbraith	Knipp	Reynolds	Treat
Burnett	Gardiner R	Landon	Richter	Ulmann
Cadin	Geoghan	Lewis M E	Rierdon	Vacheron
Conger	Graeff	Lewis T D	Roberts	Van Name
Cook	Griffith	Lynn	Rodenbeck	Waite
Coons	Hallock	Mansfield	Rogers	Walrath
Costello	Halpin	Marson	Ross	Weber
Coughtry	Hanford	McInerney	Salyerds	Weekes
Darrison	Harburger	McKeown	Sanders	Wilson H
DeGraw	Harris	McMillan		

In the negative,
Allds

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the bill (No. 2059, Senate reprint No. 1402) entitled "An act to make the sheriff of Delaware county a salaried office in part, and to regulate the management of said office" (Int. No. 1454), with a message that they have concurred in the passage of the same with the following amendments:

Page 1, line 4, after the word "of" strike out the words "fifteen hundred" and insert the words "two thousand."

Mr. Axtell moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 106 }
 { NOES 00 }

Those who voted in the affirmative, were

Adams	Delaney	Hawkins	O'Malley	Smith A R
Adler	Dickey	Henry	Orr	Smith J L
Ahern	Dooling	Hitchcock	Phipps	Smith J T
Allston	Duross	Honeck	Plank	Smith S W
Apgar	Dusinbery	Irwin	Poth	Smith W H
Axtell	Egan	Juengst	Price	Snyder
Baker	Ellis	Kaiser	Rainey	Stevens
Baum	Fancher	Keenan	Reilley	Sullivan
Bell	Fisher	Kelly	Remsen	Swarts
Blackwell	Fitzgerald	Kelsey	Richter	Swift
Bradley	Fordyce	Landon	Rider	Thorn
Brooks	Fowler	Lewis M E	Roberts	Traub
Bruckner	Galbraith	Lewis T D	Robinson	Treat
Burnett	Gardner C J	Mains	Rodenbeck	Ulmann
Burns	Geoghan	Marson	Ross	Vacheron
Conger	Griffith	McInerney	Ruehl	Van Name
Cooley	Hallock	McMillan	Salyerds	Waite
Coons	Halpin	McQuade	Sanders	Walrath
Cotton	Hanford	Morgan	Schneider	Weber
Coughtry	Harburger	O'Brien	Seymour	Weekes
Darrison	Hasenflug	O'Connell	Sherer	Wilson H
DeGraw				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the bill (No. 1917, Senate reprint No. 1397) entitled "An act to amend the Tax Law, relative to property exempt from taxation" (Int. No. 1280), with a message that they have concurred in the passage of the same, with the following amendments:

Page 1, line 13, after the word "fire" insert a comma and the words "casualty or surety."

Same page, line 14, after the word "the" strike out the words "sum of."

Same page, lines 14 and 15, strike out the words "upon policies not yet expired, as."

Same page, line 16, after the comma, add the words "to be charged as a liability."

Mr. M. E. Lewis moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would con-

cur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 111 }
 { NOES 00 }

Those who voted in the affirmative, were

Adams	Coughtry	Griffith	McInerney	Ross
Adler	Daly	Halpin	McMillan	Salyerds
Ahern	Davis	Hanford	McQuade	Scanlon
Alds	DeGraw	Harburger	Meister	Schneider
Allston	Delaney	Hasenflug	Nye	Seymour
Apgar	Dickey	Hatch	O'Connell	Smith A R
Axtell	Dickinson	Henry	O'Malley	Smith J E
Babcock	Dooling	Hitchcock	Orr	Smith J L
Baum	Duross	Honeck	Phillips	Smith S W
Bedell	Dusinbery	Hyman	Phipps	Smith W H
Bell	Egan	Juengst	Platt	Snyder
Blackwell	Everett	Kaiser	Poth	Sullivan
Bradley	Fancher	Keenan	Price	Swarts
Brooks	Fish	Kelly	Prince	Thorn
Bruckner	Fitzgerald	Knipp	Reilley	Traub
Bryan	Fitzpatrick	Landon	Remsen	Ulmann
Burnett	Fordyce	Leggett	Richter	Vacheron
Burns	Frisbie	Lewis M E	Rider	Waite
Cadin	Galbraith	Lewis T D	Rierdon	Walrath
Cook	Gardiner R	Lynn	Roberts	Weber
Cooley	Geoghan	Mansfield	Rodenbeck	Weekes
Coons	Graeff	Marson	Rogers	Wilson H
Cotton				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the bill (No. 2170, Senate reprint No. 1499) entitled "An act to amend the Forest, Fish and Game Law, relative to set lines for fishing" (Int. No. 1352), with a message that they have concurred in the passage of the same, with the following amendments:

Page 2, line 2, after the words "Hemlock lake" insert a semi-colon; also after the word "Ontario" insert the words "in Monroe county."

Mr. R. Gardiner moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 92 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Darrison	Hatch	McQuade	Sanders
Adler	DeGraw	Henry	Morgan	Schneider
Allds	Delaney	Holsten	Nye	Sherer
Allston	Dickey	Hyman	O'Connell	Smith A R
Apgar	Dooling	Irwin	O'Malley	Smith J L
Babcock	Duross	Juengst	Patton	Smith J T
Baum	Dusinbery	Kaiser	Phipps	Smith S W
Bedell	Ellis	Keenan	Platt	Snyder
Bennet	Fancher	Kelly	Price	Stevens
Bradley	Fisher	Kelsey	Prince	Swarts
Brooks	Fitzpatrick	Landon	Reilley	Swift
Bryan	Fowler	Leggett	Reynolds	Traub
Burnett	Galbraith	Lewis T D	Richter	Ulmann
Burns	Gardiner R	Lynn	Rierdon	Vacheron
Conger	Graeff	Mansfield	Robinson	Waite
Cook	Griffith	Marson	Rodenbeck	Walrath
Coons	Halpin	McInerney	Ross	Weekes
Cotton	Hanford	McKeown	Salyerds	Wilson H
Coughtry	Harris			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the bill (No. 896, Senate reprint No. 1450) entitled "An act to amend the Forest, Fish and Game Law, in relation to the close season for striped bass in the Hudson river" (Int. No. 779), with a message that they have concurred in the passage of the same, with the following amendments:

Page 1, line 8, after the word "and" strike out the word "August" and insert the word "July."

Same page, line 9, at the beginning of line strike out the word "first" and insert the word "thirtieth."

Mr. Dickey moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 109 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Cotton	Harburger	McMillan	Ross
Adler	Coughtry	Harris	McQuade	Salyerds
Ahern	Daly	Hasenflug	Morgan	Sanders
Allds	Darrison	Hawkins	Nye	Scanlon
Allston	DeGraw	Henry	O'Brien	Seymour
Apgar	Dempsey	Holsten	O'Malley	Smith A R
Axtell	Dickinson	Honeck	Orr	Smith J E
Babcock	Doughty	Hyman	Patton	Smith J T
Baker	Dusinbery	Irwin	Phillips	Smith W H
Baum	Ellis	Juengst	Phipps	Stevens
Bedell	Everett	Kaiser	Platt	Sullivan
Bell	Fish	Keenan	Poth	Swift
Bennet	Fitzgerald	Kelly	Price	Thorn
Bradley	Fitzpatrick	Kelsey	Prince	Traub
Brooks	Fowler	Knipp	Reiley	Ulmann
Bruckner	Frisbie	Landon	Remsen	Vacheron
Burnett	Gardiner R	Leggett	Richter	Waite
Burns	Geoghan	Lewis M E	Rider	Walrath
Conger	Graeff	Lynn	Rierdon	Weber
Cook	Hallock	Mains	Roberts	Weekes
Cooley	Halpin	Marson	Rodenbeck	Wilson H
Costello	Hanford	McInerney	Rogers	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the bill (No. 1556, Senate reprint No. 1489) entitled "An act to amend the Forest, Fish and Game Law, in relation to mink, skunk, muskrat and foxes" (Int. No. 277), with a message that they have concurred in the passage of the same, with the following amendments:

Page 1, line 12, strike out the words "September thirtieth" and insert the words "October thirty-first"; also strike out all

after the word "inclusive" and insert a comma and the words "except that there shall be no open season for skunk in the County of Chautauqua prior to the year nineteen hundred and six."

Mr. Fowler moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 101 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Darrison	Halpin	McKeown	Scanlon
Adler	Davis	Hanford	McMillan	Seymour
Ahern	DeGraw	Harburger	Meister	Sherer
Allds	Delaney	Hasenflug	Nye	Smith J E
Apgar	Dempsey	Hawkins	O'Brien	Smith J L
Axtell	Dickinson	Henry	O'Malley	Smith S W
Baker	Dooling	Hitchcock	Orr	Smith W H
Baum	Duross	Honeck	Patton	Snyder
Bedell	Dusinbery	Hyman	Phipps	Sullivan
Bennet	Egan	Juengst	Platt	Swarts
Bradley	Everett	Kaiser	Price	Swift
Brill	Fancher	Keenan	Rainey	Thorn
Bruckner	Fisher	Kelly	Reilley	Treat
Bryan	Fitzpatrick	Kelsey	Reynolds	Ulmann
Burns	Fordyce	Landon	Rider	Vacheron
Conger	Galbraith	Leggett	Rierdon	Van Name
Cook	Gardiner R	Lewis T D	Robinson	Walrath
Cooley	Geoghan	Mains	Rogers	Weber
Costello	Graeff	Marson	Ross	Weekes
Cotton	Hallock	Mathews	Salyerds	Wilson H
Daly				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the bill (No. 1771, Senate reprint No. 1517) entitled "An act to amend the Forest, Fish and Game Law in relation to the close season for squirrels, hares and rabbits

and grouse in certain counties" (Int. No. 757), with a message that they have concurred in the passage of the same, with the following amendments:

Strike out all after the enacting clause and insert the following:

Section 1. Chapter twenty of the laws of nineteen hundred, entitled "An act for the protection of the forests, fish and game of the state, constituting chapter thirty-one of the general laws," is hereby amended by adding a new section to be known as section twelve-a and to read as follows:

§ 12a. Black and gray squirrels, special.—The close season for black and gray squirrels in Greene county shall be from December sixteenth to September thirtieth both inclusive.

§ 2. Section thirteen of such chapter as amended by chapter six hundred and three of the laws of nineteen hundred, is hereby amended so as to read as follows:

§ 13. Hares and rabbits.—The close season for hares and rabbits shall be, in the counties of Livingston Wyoming, Erie, Orange, Schoharie, Monroe, Orleans, Steuben, [Fulton, Hamilton,] Albany [Greene] Ulster, Dutchess and Columbia, from December sixteenth to [September first,] August thirty-first both inclusive; in the [county] counties of Richmond and Rockland [the close season shall be] from December thirty-first to October thirty-first [November first,] both inclusive; in Oneida and Sullivan counties from February fifteenth to September fifteenth, both inclusive; in the county of Greene from December sixteenth to September thirtieth, both inclusive, and in the county of Fulton from February first to October thirty-first both inclusive. Hares and rabbits shall not be hunted with ferrets in any county where there is a close season, or in Genesee and Niagara counties. Nothing in this section shall prevent the owner of inclosed or occupied farm lands from taking hares or rabbits on his own premises at any time to prevent their injuring property.

§ 4. Section twenty-six of such chapter, as amended by chapter six hundred and eleven of the laws of nineteen hundred, is hereby amended so as to read as follows:

§ 26. Grouse; close season; special.—Grouse shall not be taken in the counties of Ulster, Sullivan and Greene from December sixteenth to September thirtieth, both inclusive. There shall be no open season for grouse in the counties of Genesee, Wyoming, Erie, Niagara, Orleans, Livingston, Rockland, Cayuga and Monroe prior to the year nineteen hundred and three.

§ 5. This act shall take effect immediately.

Amend the title to read as follows:

"An act to amend the Forest, Fish and Game Law in relation to the close season for squirrels, hares and rabbits and grouse in certain counties."

Mr. Rider moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 115 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Davis	Halpin	Marson	Ross
Adler	DeGraw	Hammond	Mathews	Salyerds
Ahern	Delaney	Hanford	McInerney	Scanlon
Allds	Dempsey	Harburger	McKeown	Schneider
Allston	Dickey	Harris	McQuade	Seymour
Axtell	Dickinson	Hasenflug	Meister	Smith J E
Babcock	Dooling	Hawkins	Nye	Smith J L
Baum	Duross	Henry	O'Brien	Smith J T
Bedell	Doughty	Holsten	O'Connell	Smith W H
Bell	Egan	Honeck	Orr	Snyder
Bennet	Ellis	Hyman	Patton	Stevens
Bradley	Fancher	Irwin	Phillips	Sullivan
Brooks	Fish	Juengst	Plank	Swift
Bruckner	Fitzgerald	Kaiser	Platt	Thorn
Bryan	Fitzpatrick	Keenan	Price	Traub
Burns	Fordyce	Kelly	Prince	Treat
Cadin	Fowler	Kelsey	Reilley	Ulmann
Cook	Frisbie	Knipp	Remsen	Van Name
Cooley	Galbraith	Landon	Richter	Waite
Coons	Gardiner R	Lewis M E	Rider	Walrath
Cotton	Geoghan	Lewis T D	Roberts	Weber
Coughtry	Graeff	Mains	Robinson	Weekes
Daly	Griffith	Mansfield	Rodenbeck	Wilson H

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the bill (No. 1067, Senate reprint No. 1468) entitled "An act to amend the Greater New York charter, in relation to general powers of commissioners as to the management of parks" (Int. No. 334), with a message that they have concurred in the passage of the same, with the following amendment:

Strike out all of section 2, and insert the following:

"§ 2. This act shall not apply to any railroad or railroads now constructed within, upon or over any park or public place within the jurisdiction of the commissioners aforesaid or affect any pending action or proceeding."

Mr. Bell moved to concur in the Senate amendment.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 98 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	DeGraw	Hatch	Morgan	Salverds
Adler	Delaney	Hawkins	Nye	Scanlon
Ahern	Dempsey	Hitchcock	O'Brien	Schneider
Allston	Dickinson	Honeck	O'Malley	Seymour
Apgar	Dooling	Irwin	Orr	Smith A R
Babcock	Duross	Juengst	Patton	Smith J L
Baum	Egan	Keenan	Phipps	Smith J T
Baker	Everett	Kelly	Plank	Smith S W
Bennet	Fish	Kelsey	Poth	Smith W H
Blackwell	Fitzgerald	Knipp	Price	Stevens
Brill	Fitzpatrick	Landon	Rainey	Swarts
Brooks	Fowler	Lewis M E	Reilly	Swift
Bryan	Frisbie	Lewis T D	Reynolds	Traub
Burnett	Gardiner R	Lynn	Rider	Treat
Cadin	Geoghan	Mains	Roberts	Ulmann
Cook	Griffith	Marson	Roberts	Van Name
Cooley	Halpin	Mathews	Rodenbeck	Walrath
Costello	Hammond	McKeown	Rogers	Weber
Cotton	Harburger	McMillan	Ross	Weekes
Daly	Harris	McQuade		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendment of the Senate thereto.

The Senate returned the bill (No. 2165, Senate reprint No. 1452) entitled "An act to amend the Forest, Fish and Game Law, relative to close season for grouse" (Int. No. 1104), with a message that they have concurred in the passage of the same with the following amendment:

Page 1, line 8, strike out the words "December first" and insert the words "November thirtieth."

Mr. Marson moved to concur in the Senate amendment.

Mr. Speaker put the question whether the House would concur in said amendment, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 110 }
 } NOES 00 }

Those who voted in the affirmative, were

Adams	Daly	Hanford	McKeown	Salyerds
Adler	Darrison	Harburger	McMillan	Sanders
Allds	DeGraw	Harris	Meister	Scanlon
Allston	Delaney	Hatch	Morgan	Schneider
Apgar	Dickey	Henry	Nye	Seymour
Babcock	Dickinson	Hitchcock	O'Connell	Sberer
Baker	Dooling	Holsten	O'Malley	Smith J E
Bedell	Duross	Honeck	Patton	Smith J L
Bell	Dusinbery	Juengst	Phillips	Smith S W
Bennet	Egan	Kaiser	Plank	Smith W H
Blackwell	Everett	Keenan	Poth	Stevens
Brill	Fancher	Kelly	Price	Sullivan
Brooks	Fisher	Kelsey	Prince	Swarts
Bruckner	Fitzpatrick	Knipp	Rainey	Swift
Bryan	Fordyce	Landon	Remsen	Traub
Burnett	Galbraith	Leggett	Reynolds	Treat
Cadin	Gardiner R	Lewis T D	Richter	Vacheron
Conger	Gardner C J	Lewis M E	Rider	Van Name
Cook	Graeff	Lynn	Roberts	Waite
Cooley	Griffith	Mansfield	Robinson	Walrath
Costello	Hallock	Marson	Rogers	Weber
Cotton	Hammond	McInerney	Ross	Weekes

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendment of the Senate thereto.

The Senate returned the bill (No. 1552, Senate reprint No. 1451) entitled "An act to amend the Forest, Fish and Game Law, relative to fishing with nets in Lake Erie" (Int. No. 166), with a message that they have concurred in the passage of the same with the following amendment:

Strike out all of the enacting clause and insert the following:

"Section 1. Section seventy-three of chapter twenty of the laws of nineteen hundred, entitled 'An act for the protection of the forests, fish and game of the state, constituting chapter thirty-one of the general laws,' is hereby amended to read as follows:

"§ 73. Nets in Lakes Ontario and Erie.—Fish may be taken with nets, in the waters of Lake Erie except within one-half mile of the shores or islands thereof, and within five miles of the mouth of Cattaraugus creek; and in Lake Ontario except within one mile of the shores or islands thereof and within three miles of the mouth of the Niagara river; but in the county of Erie pound nets, trapnets or fyke nets shall not be used. Sturgeon, less than three feet long taken under this section, shall be at once returned to the waters where taken, alive without unnecessary injury. Fishermen licensed to fish in said lakes may hang or reel licensed nets on the shores thereof to clean and dry the same.

"§ 2. This act shall take effect immediately."

Mr. Cook moved to concur in the Senate amendment.

Mr. Speaker put the question whether the House would concur in said amendment, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{	AYES	95	}
{	NOES	00	}

Those who voted in the affirmative, were

Adams	Daly	Graeff	Marson	Rogers
Adler	Davis	Hallock	Mathews	Ross
Ahern	DeGraw	Halpin	McKeown	Salyerds
Allston	Dempsey	Hanford	McMillan	Sanders
Axtell	Dickey	Harris	Meister	Schneider

Babcock	Dickinson	Hatch	Morgan	Sherer
Baum	Doughty	Henry	Nye	Smith J E
Bedell	Duross	Hitchcock	O'Connell	Smith J T
Bennet	Egan	Hyman	Orr	Smith W H
Bradley	Ellis	Irwin	Patton	Snyder
Brill	Everett	Kaiser	Phipps	Stevens
Bruckner	Fancher	Keenan	Plank	Swarts
Bryan	Fisher	Kelly	Platt	Thorn
Burns	Fitzgerald	Kelsey	Price	Treat
Cadin	Fordyce	Landon	Rainey	Vacheron
Conger	Fowler	Leggett	Remsen	Waite
Cooley	Frisbie	Lewis T D	Richter	Walrath
Costello	Gardiner R	Lynn	Rierdon	Weekes
Cotton	Gardner C J	Mansfield	Roberts	Wilson H

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendment of the Senate thereto.

The Senate returned the bill (No. 1808, Senate reprint No. 1297) entitled "An act to release the interest of the people of the State of New York in the lands of which Jacob Froelich died seized to William Eigenbrod, subsequent grantee of Elizabeth Froelich, widow of said Jacob Froelich" (Int. No. 650), with a message that they have concurred in the passage of the same with the following amendment:

Page 2, strike out all of section 2 and in lieu thereof insert the following:

"§ 2. Nothing in this act contained shall release, discharge, or impair any right, claim or interest of any creditor of the said Jacob Froelich by judgment, mortgage or otherwise, nor shall it affect any action or proceeding now pending. And said estate shall be subject to all the provisions of the transfer tax law."

Mr. Brooks moved to concur in the Senate amendment.

Mr. Speaker put the question whether the House would concur in said amendment, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 114 }
 { NOES 00 }

Those who voted in the affirmative, were

Adams	Coughtry	Harburger	Meister	Sanders
Adler	Daly	Harris	Morgan	Schneider
Ahern	Davis	Hasenflug	Nye	Seymour
Allds	Delaney	Hawkins	O'Connell	Sherer
Allston	Dempsey	Henry	O'Malley	Smith J E
Apgar	Dickey	Hitchcock	Orr	Smith J T
Axtell	Dooling	Holsten	Patton	Smith S W
Babcock	Duross	Hyman	Phipps	Snyder
Baker	Dusinbery	Irwin	Plank	Stevens
Baum	Ellis	Juengst	Platt	Sullivan
Bedell	Everett	Kaiser	Poth	Swarts
Bell	Fish	Keenan	Price	Swift
Burnett	Fisher	Kelly	Rainey	Traub
Blackwell	Fitzgerald	Kelsey	Reilley	Treat
Brill	Fordyce	Knipp	Remsen	Ulmann
Bruckner	Frisbie	Landon	Richter	Vacheron
Bryan	Galbraith	Leggett	Rider	Van Name
Burnett	Gardner C J	Lewis M E	Rierdon	Waite
Burns	Geoghan	Lewis T D	Robinson	Walrath
Conger	Graeff	Mains	Rodenbeck	Weber
Cooley	Hallock	Marson	Rogers	Weekes
Coons	Halpin	McInerney	Ross	Wilson H
Cottor	Hammond	McKeown	Salyerds	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendment of the Senate thereto.

The Senate returned the bill (No. 2130, Senate reprint No. 1399) entitled "An act to amend chapter 105 of the Laws of the year 1891, entitled 'An act to revise the charter of the city of Buffalo,' in relation to the police justice" (Int. No. 1398), with a message that they have concurred in the passage of the same with the following amendments:

Page 1, line 3, after the word "adding" insert the word "therein."

Same page, line 4, at beginning of line strike out the words "thereto a" and insert the words "after section three hundred eighty-four-a two"; also, after the word "new" strike out the word "section" and insert the word "sections."

Page 2, line 16, after the word "time" insert the words "not to exceed three months."

Same page, at end of line 20, add the words "when practicable said child shall be placed with a probationary officer of the same religious faith as that of the child's parents."

Mr. O'Malley moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 103 {
{ NOES 00 {

Those who voted in the affirmative, were

Adams	Cotton	Harburger	McQuade	Schneider
Adler	Coughtry	Harris	Morgan	Sherer
Ahern	Darrison	Hatch	Nye	Smith A R
Allds	DeGraw	Hawkins	O'Connell	Smith J L
Apgar	Delaney	Hitchcock	Orr	Smith J T
Axtell	Dickey	Holsten	Phillips	Smith W H
Baum	Dickinson	Hyman	Phipps	Snyder
Bedell	Doughty	Juengst	Platt	Stevens
Bell	Duross	Kaiser	Price	Sullivan
Bennet	Egan	Keenan	Rainey	Swarts
Blackwell	Everett	Kelly	Reiley	Thorn
Brill	Fancher	Kelsey	Reynolds	Traub
Brooks	Fisher	Knipp	Rider	Treat
Bruckner	Fitzgerald	Leggett	Rierdon	Ulmann
Bryan	Fowler	Lewis T D	Roberts	Van Name
Burnett	Galbraith	Lynn	Rodenbeck	Waite
Burns	Gardiner R	Mains	Ross	Walrath
Conger	Geoghan	Marson	Ruehl	Weber
Cook	Griffith	Mathews	Salyerds	Weekes
Cooley	Halpin	McInerney	Sanders	Wilson H
Coons	Hammond	McMillan		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the bill (No. 990, Senate reprint No. 1471) entitled "An act in relation to the widening and improvement of One Hundred and Thirty-fifth street west of St. Nicholas avenue,

in the city of New York " (Int. No. 87), with a message that they have concurred in the passage of the same with the following amendment:

Strike out all after the enacting clause and insert the following:

Section 1. The city of New York is hereby authorized in its discretion to extend and widen One Hundred and Thirty-fifth street in the borough of Manhattan, city of New York, to a width of sixty feet between Saint Nicholas avenue and Saint Nicholas terrace, so that the northerly line thereof between said points shall be a direct continuation westerly of the northerly line of said street east of Saint Nicholas avenue, and any lands, premises or property required for the purpose of said widening, and heretofore acquired by the city of New York, may be appropriated and set apart for the purposes of said street, without any further legal proceedings therefor; and the map or plan of the city of New York may be altered accordingly.

§ 2. If said One Hundred and Thirty-fifth street shall be extended and widened pursuant to this act, there shall be substantially a uniform grade for said street west of Saint Nicholas avenue from the present grade of said Saint Nicholas avenue, at its intersection with One Hundred and Thirty-fifth street, to a point west of Convent avenue not less than twenty feet from the footing course of the old Croton aqueduct as it turns into the aqueduct gate or pump house; and said One Hundred and Thirty-fifth street shall be graded and regraded to conform to such substantially uniform grade; and the grade of One Hundred and Thirty-fifth street at its intersection with Convent avenue shall not be lowered more than six feet and shall be substantially level with that of Convent avenue, which shall be regraded to conform thereto; and said street shall be carried under Saint Nicholas terrace through an open cut which shall be bridged by an ornamental bridge architecturally designed, of the full width of Saint Nicholas terrace.

§ 3. The cost of carrying out the provisions of this act shall be borne, in the discretion of the board of estimate and apportionment of the city of New York, either entirely by the city of New York, or partly by said city and partly by such property as said board shall deem to be benefited thereby in such proportions as said board shall deem just and proper.

§ 4. The board of estimate and apportionment of the city of New York is hereby authorized to direct that said One Hundred and Thirty-fifth street be extended and widened in accordance with the provisions of this act, and said board and the corporation counsel, the comptroller, the commissioner of highways and

all other officials of said city are hereby authorized to take all necessary or proper steps to carry into full effect the object and purposes of this act.

§ 5. All damages to any property injuriously affected by the extension of said street as authorized by this act or by the work of constructing the same or by any changes in the established grade of the said street or the streets intersecting the same as herein authorized shall be ascertained and determined by the board of assessors of the city of New York. The said board is hereby authorized and empowered to hear and determine such claim and to take such proof as may be offered in relation thereto. Upon the presentation to the said board of any claims for such damages the said board shall give notice thereof to the corporation counsel and shall by notice of not less than ten days to the claimant and the corporation counsel, proceed to hear the proofs and allegations which may be presented. The board shall file with the comptroller of said city its certificate as to the amount of such damages and the party or person or corporation or parties or persons or corporations entitled thereto and the amount so certified shall thereupon become a debt of the said city payable to the person or party or corporation or parties or persons or corporations in whose favor such damages are awarded, and the fund for the payment thereof shall be raised and provided by the said comptroller by the issue of corporate stock of said city.

§ 6. All acts or parts of acts which are inconsistent herewith are hereby repealed.

§ 7. This act shall take effect immediately.

Mr. W. H. Smith moved to concur in the Senate amendment.

Mr. Speaker put the question whether the House would concur in said amendment, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 105 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Delaney	Hasenflug	McQuade	Schneider
Adler	Dickey	Hatch	Morgan	Sherer
Allston	Dooling	Hawkins	Nye	Smith A R

Axtell	Duross	Hitchcock	O'Connell	Smith J E
Babcock	Dusinbery	Holsten	O'Malley	Smith J L
Baum	Ellis	Hyman	Orr	Smith J T
Bell	Everett	Juengst	Patton	Smith S W
Bennet	Fish	Kaiser	Phipps	Smith W H
Bradley	Fisher	Keenan	Platt	Stevens
Brooks	Fitzgerald	Kelly	Poth	Sullivan
Bryan	Fordyce	Kelsey	Prince	Swarts
Burnett	Fowler	Knipp	Rainey	Swift
Burns	Galbraith	Leggett	Remsen	Traub
Cadin	Gardner C J	Lewis T D	Richter	Treat
Conger	Geoghan	Lynn	Rider	Vacheron
Cooley	Griffith	Mains	Roberts	Van Name
Costello	Hallock	Mansfield	Robinson	Waite
Cotton	Halpin	Marson	Rogers	Walrath
Daly	Hammond	McInerney	Ruehl	Weber
Darrison	Hanford	McKeown	Salyerds	Weekes
DeGraw	Harburger	McMillan	Scanlon	Wilson H

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendment of the Senate thereto.

The Senate returned the bill (No. 853, Senate reprint No. 1490) entitled "An act to amend chapter 665 of the Laws of 1897, entitled 'An act to lay out and establish and construct a public drive and parkway in the city of New York as an extension of Riverside drive to the Boulevard LaFayette,' relative to the assessment of damages" (Int. No. 748), with a message that they have concurred in the passage of the same with the following amendments:

Page 2, line 2, after the word "assess" strike out the word "twenty" and insert the word "such."

Same page, line 3, before the word "of" insert the words "not exceeding fifty per centum."

Same page, line 6, after the word "authorized" insert the words "as they may deem just and proper."

Mr. W. H. Smith moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{	AYES	94	}
{	NOES	00	}

Those who voted in the affirmative, were

Adams	Dickinson	Henry	Nye	Schneider
Adler	Dooling	Holsten	O'Brien	Seymour
Alds	Dusinbery	Hyman	O'Malley	Smith A R
Apgar	Ellis	Irwin	Orr	Smith J E
Babcock	Fancher	Kaiser	Phillips	Smith J L
Baum	Fisher	Keenan	Phipps	Smith S W
Bedell	Fitzpatrick	Kelly	Platt	Smith W H
Blackwell	Fordyce	Kelsey	Price	Snyder
Bradley	Frisbie	Knipp	Prince	Stevens
Brooks	Galbraith	Landon	Rainey	Swarts
Bryan	Gardner C J	Leggett	Remsen	Swift
Burns	Geoghan	Lewis M E	Reynolds	Traub
Conger	Griffith	Lewis T D	Richter	Treat
Cooley	Halpin	Mains	Rierdon	Vacheron
Costello	Hammond	Marson	Roberts	Van Name
Cotton	Harburger	McInerney	Robinson	Walrath
Daly	Harris	McKeown	Rogers	Weber
DeGraw	Hatch	McQuade	Salyerds	Weekes
Dempsey	Hawkins	Meister	Sanders	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

A communication was received from Hon. Robert A. Van Wyck, mayor of the city of New York, returning Assembly bill No. 1704, entitled "An act to regulate the keeping of employment agencies in the city of Greater New York where fees are charged for registration or for procuring or assisting to procure employment or situations" (Int. No. 1276), with a message that said mayor, after a public hearing thereon, does not approve said bill and does not accept the same.

Mr. Speaker stated the question to be "Shall this bill pass notwithstanding the objection of the mayor of the city of New York thereto?" and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

{ AYES 101 }
{ NOES 44 }

Those who voted in the affirmative, were

Adams	Coons	Griffith	Morgan	Salyerds
Adler	Costello	Hallock	Nye	Schneider
Ahern	Cotton	Hammond	O'Brien	Seymour
Alds	Coughtry	Hanford	O'Malley	Sherer
Allston	Darrison	Harris	Orr	Smith A P
Apgar	Davis	Hatch	Patton	Smith J L
Axtell	DeGraw	Henry	Phillips	Smith J T
Babcock	Dickinson	Hitchcock	Phipps	Smith S W
Baker	Doughty	Irwin	Plank	Smith W H
Bedell	Dusinbery	Kelsey	Platt	Snyder
Bell	Ellis	Knipp	Price	Stevens
Bennet	Everett	Landon	Rainey	Swarts
Blackwell	Fish	Leggett	Remsen	Swift
Brill	Fisher	Lewis M E	Reynolds	Traub
Brooks	Fordyce	Lewis T D	Roberts	Treat
Bryan	Fowler	Mains	Robinson	Vacheron
Burnett	Galbraith	Mansfield	Rodenbeck	Waite
Cadin	Gardiner R	Marson	Rogers	Walrath
Conger	Gardner C J	McMillan	Ross	Weber
Cook	Graeff	McQuade	Ruehl	Weekes
Cooley				

Those who voted in the negative, were

Baum	Duross	Hawkins	Mathews	Rider
Bradley	Egan	Holsten	McInerney	Rierdon
Bruckner	Fitzgerald	Honeck	McKeown	Sanders
Burns	Fitzpatrick	Hyman	Meister	Scanlon
Daly	Frisbie	Juengst	O'Connell	Smith J E
Delaney	Geoghan	Kaiser	Poth	Sullivan
Dempsey	Halpin	Keenan	Prince	Ulmann
Dickey	Harburger	Kelly	Reilley	Van Name
Dooling	Hasenflug	Lynn	Richter	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

A communication was received from Hon. Robert A. Van Wyck, mayor of the city of New York, returning Assembly bill No. 1232, entitled "An act to amend chapter 410 of the Laws of 1882, relative to service of summons in municipal court" (Int. No. 775), with a message that said mayor, after a public hearing thereon, does not approve said bill and does not accept the same.

Mr. Speaker stated the question to be "Shall this bill pass notwithstanding the objection of the mayor of the city of New York thereto?" and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

{ AYES 94 }
 { NOES 44 }

Those who voted in the affirmative, were

Adams	Coons	Griffith	Nye	Schneider
Adler	Cotton	Hallock	O'Brien	Seymour
Ahern	Coughtry	Hammond	O'Malley	Sherer
Allds	Darrison	Hanford	Orr	Smith A R
Allston	Davis	Harris	Patton	Smith J L
Axtell	DeGraw	Hatch	Phillips	Smith S W
Babcock	Dickinson	Henry	Plank	Smith W H
Baker	Doughty	Hitchcock	Platt	Snyder
Bedell	Dusinbery	Irwin	Price	Stevens
Bell	Ellis	Kelsey	Rainey	Swarts
Bennet	Fancher	Knipp	Remsen	Swift
Blackwell	Fish	Landon	Reynolds	Thorn
Brill	Fisher	Lewis M E	Roberts	Traub
Brooks	Fordyce	Mains	Robinson	Vacheron
Bryan	Fowler	Mansfield	Rodenbeck	Walrath
Burnett	Galbraith	Marson	Rogers	Weber
Cadin	Gardiner R	McMillan	Ross	Weekes
Conger	Gardner C J	McQuade	Ruehl	Wilson H
Cooley	Graeff	Morgan	Salyerds	

Those who voted in the negative, were

Baum	Duross	Hawkins	Mathews	Rider
Bradley	Egan	Holsten	McInerney	Rierdon
Bruckner	Fitzgerald	Honeck	McKeown	Sanders
Burns	Fitzpatrick	Hyman	Meister	Scanlon
Daly	Frisbie	Juengst	O'Connell	Smith J E
Delaney	Geoghan	Kaiser	Poth	Sullivan
Dempsey	Halpin	Keenan	Prince	Ulmann
Dickey	Harburger	Kelly	Reilley	Van Name
Dooling	Hasenflug	Lynn	Richter	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

A communication was received from Hon. Robert A. Van Wyck, mayor of the city of New York, returning Assembly bill No. 1054, entitled "An act legalizing the action of the board of supervisors of the county of Queens, in relation to a certain contract for the sprinkling of the county roads of said county" (Int. No. 902), with a message that said mayor, after a public hearing thereon, does not approve said bill and does not accept the same.

Mr. Speaker stated the question to be "Shall this bill pass notwithstanding the objection of the mayor of the city of New York thereto?" and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

{ AYES 104 }
{ NOES 42 }

Those who voted in the affirmative, were

Adams	Costello	Hallock	Morgan	Schneider
Adler	Cotton	Hammond	Nye	Seymour
Ahern	Coughtry	Hanford	O'Brien	Sherer
Allds	Darrison	Harris	O'Malley	Smith A R
Allston	Davis	Hatch	Orr	Smith J L
Apgar	DeGraw	Henry	Patton	Smith J T
Axtell	Dickinson	Hitchcock	Phillips	Smith S W
Babcock	Doughty	Irwin	Phipps	Smith W H
Baker	Dusinbery	Juengst	Plank	Snyder
Bedell	Ellis	Kaiser	Platt	Stevens
Bell	Everett	Kelsey	Price	Swarts
Bennet	Fancher	Knipp	Rainey	Swift
Blackwell	Fish	Landon	Remsen	Thorn
Brill	Fisher	Leggett	Reynolds	Traub
Brooks	Fordyce	Lewis M E	Roberts	Vacheron
Bryan	Fowler	Lewis T D	Robinson	Waite
Burnett	Galbraith	Mains	Rodenbeck	Walrath
Cadin	Gardiner R	Mansfield	Rogers	Weber
Conger	Gardner C J	Marson	Ross	Weekes
Cook	Graeff	McMillan	Ruehl	Wilson H
Cooley	Griffith	McQuade	Salyerds	

Those who voted in the negative, were

Baum	Duross	Hawkins	Meister	Rider
Bradley	Egan	Holsten	McInerney	Rierdon

Bruckner	Fitzgerald	Honeck	McKeown	Sanders
Burns	Fitzpatrick	Hyman	O'Connell	Scanlon
Daly	Frisbie	Keenan	Poth	Smith J E
Delaney	Geoghan	Kelly	Prince	Sullivan
Dempsey	Halpin	Lynn	Reilley	Ulmann
Dickey	Harburger	Mathews	Richter	Van Name
Dooling	Hasenflug			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Governor, by the hand of his secretary, transmitted to the Assembly a message in the words following:

STATE OF NEW YORK—EXECUTIVE CHAMBER,
ALBANY, April 17, 1901.

To the Assembly:

Assembly bill No. 1776, entitled "An act to amend chapter 105 of the Laws of 1891, entitled 'An act to revise the charter of the city of Buffalo,' in relation to police pensions," is herewith returned without approval.

Under the present law as to the pension police fund in the city of Buffalo, provision is made for pensioning policemen who are injured or incapacitated in the service and who served various lengths of time. It provides that they are to receive certain amounts, increasing according to the length of their previous service. The highest amount that any policeman can now receive, who shall be retired by reason of injury or incapacity contracted while performing policeman's duty, is \$600 a year, provided he has served twenty-five years or upwards.

The amendment proposed by this law is to allow a member of the police force who has served thirty or more years, upon his written application for retirement, a sum equal to half of his annual salary. The distinction made in this bill is that a person who retires after thirty years of service may be in perfect health and yet on his application the police commissioners are compelled to retire him on one-half his annual salary, while a person may have served twenty-five years and be so badly injured or so incapacitated by disease as to be entirely incapable of supporting himself, and yet he can only receive his \$600 a year.

It seems to me that those who are injured or incapacitated while performing policeman's duty should be preferred to those who retire from the service in good health. It should be borne in mind that the reason why a policeman who has served thirty or more years cannot now receive the benefit of the police pension fund is because he has not been incapacitated by such police service, so that he is still continuing to receive his salary as a

policeman or can receive the benefit of the present police pension law should he become hereafter incapacitated.

I think the present police pension laws of the city of Buffalo are broad enough to care for all those as to whom any substantial duty devolves, and I do not think this bill should receive executive approval.

B. B. ODELL, JR.

On motion of Mr. Schneider, said bill with said message was laid on the table.

The Governor, by the hand of his secretary, transmitted to the Assembly a message in the words following:

STATE OF NEW YORK—EXECUTIVE CHAMBER,
ALBANY, April 17, 1901.

To the Assembly:

Assembly bill No. 2157, entitled "An act to authorize the village of Seneca Falls to issue bonds for the purpose of acquiring title to and constructing approaches for the Rumsey street bridge, and to pay the balance due on the Crane addition to Restvale cemetery," is herewith returned without approval.

Full warrant of law already exists for the raising of the money and issuing of bonds referred to in this bill, provided the village authorities adopt the method prescribed by law for submitting to the vote of the people the determination of the question whether they will appropriate the sum specified or not.

This bill seeks to confer upon the village authorities power to issue the bonds in question without the vote of the people, and I have already expressed my views on this subject to the effect that where the law provides for a vote of the taxpayers, authority should not be conferred by an act of the Legislature.

For these reasons I do not think the bill should receive executive approval.

B. B. ODELL, JR.

On motion of Mr. Kaiser, said bill with said message was laid on the table.

The Governor, by the hand of his secretary, transmitted to the Assembly a message in the words following:

STATE OF NEW YORK—EXECUTIVE CHAMBER,
ALBANY, April 17, 1901.

To the Assembly:

Assembly bill No. 1392, entitled "An act to amend the Highway Law, relating to plowing, digging and cropping highways," is herewith returned without approval.

In some portions of the country districts poor persons having small houses along the highways have occasionally used a portion of them to raise a little corn or potatoes, generally in places where the highway was especially broad, and thus added to their limited means of support.

Under the present law it is within the power of the commissioners of highways to prevent this use of the highways if the privileges should be abused. It does not seem to me that there is any such general evidence of the necessity of the passage of this bill as would justify me in signing it and requiring these people to obtain the consent of the commissioners for this use of the highways and placing it under their supervision. In addition, the direct authorization of its use by the highway commissioners might place an additional liability upon the town if any damage should happen to result to any person from this use of the highways as authorized by the commissioners.

I think the law as it stands is sufficient, and it is better both for the people interested and for the town as it is, and for these reasons I do not think the bill should receive executive approval.

B. B. ODELL, JR.

On motion of Mr. Ellis, said bill, together with said message, was laid on the table.

Mr. Bell—Mr. Speaker, I have the honor and pleasure to state to the Assembly that Senator Depew is in the Speaker's ante-chamber; and I move you that he be granted the privileges of the floor and be invited to speak.

Mr. Speaker—The Chair will be pleased to grant the privileges of the floor to the distinguished Senator from the State of New York. The Chair does not need to introduce the gentleman from New York.

Mr. Depew—Mr. Speaker, and Gentlemen of the Assembly: I am only a few minutes in Albany, and for the limitations of this speech, I will state for your gratification that the train on which I am to go is scheduled to leave in three minutes.

I have already paid my respects to the Governor and also to the Senate. I recognize the fact that having been in my youth a member of this body, I should have paid my respects first to the Assembly. But then we will make mistakes when we have been absent for a long time from the halls of legislation.

Over in Washington we think the Senate is all there is of it. But any one would make a mistake who believed that this was the case in the State of New York.

It always affords me great pleasure to meet personally and socially the gentlemen who are legislating for this great state of which we are so proud. And I am always happy to meet with the members of the legislature and with the senators from my State and with the Governor, and get in touch with the sentiment of this commonwealth upon the great questions which are to be voted upon and to be settled in a national way at Washington. I never come to Albany, as I do once a year, and see you gentlemen of the two Houses of the Legislature and the Executive, that I do not return home feeling healthier, physically, morally and politically.

I wish you all God speed!

A message was received from the Senate in the words following:

IN SENATE, *April 18, 1901.*

Pursuant to concurrent resolution of the Senate and Assembly, the Governor returned the Senate bill (No. 1469) entitled "An act to amend chapter 220 of the Laws of 1866, entitled 'An act to amend the charter of the village of Saratoga Springs, and the several acts amendatory thereof.'" (Rec. No. 258.)

The vote upon the final passage of the said bill having been reconsidered, on motion of Mr. Brackett, and by unanimous consent, the same was amended as follows:

Page 2, line 7, strike out the period and insert a comma, and add the following words "provided that ringing bells and sounding whistles on locomotives when approaching and passing any such crossing shall not be dispensed with unless gates are maintained thereat across the road or street and closed upon the approach of trains."

Said bill as amended was reprinted, re-engrossed, and having been on the desks of the members three legislative days, was passed and ordered sent to the Assembly for concurrence.

By order of the Senate,

JAMES S. WHIPPLE,

Clerk.

Mr. Mansfield moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all

the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 115 }
 } NOES 00 }

Those who voted in the affirmative, were

Adams	Coughtry	Hammond	Mathews	Ruehl
Adler	Darrison	Hanford	McInerney	Sanders
Allds	Davis	Harris	McMillan	Scanlon
Allston	Delaney	Hasenflug	Meister	Schneider
Apgar	Dempsey	Hatch	Morgan	Sherer
Axtell	Dickinson	Henry	Nye	Smith A R
Babcock	Dooling	Hitchcock	O'Connell	Smith J E
Baker	Doughty	Holsten	O'Malley	Smith J L
Bedell	Duross	Honeck	Patton	Smith S W
Bell	Dusinbery	Hyman	Phillips	Smith W H
Bennet	Ellis	Juengst	Phipps	Snyder
Blackwell	Everett	Kaiser	Plank	Stevens
Bradley	Fish	Keenan	Poth	Sullivan
Brill	Fisher	Kelly	Price	Swarts
Brooks	Fitzpatrick	Kelsey	Rainey	Thorn
Bruckner	Fordyce	Knipp	Reilley	Traub
Bryan	Fowler	Landon	Remsen	Ulmann
Burnett	Frisbie	Lewis M E	Reynolds	Vacheron
Burns	Gardiner R	Lewis T D	Rider	Van Name
Cadin	Geoghan	Lynn	Roberts	Walrath
Cook	Graeff	Mains	Robinson	Weber
Cooley	Griffith	Mansfield	Rogers	Weekes
Costello	Hallock	Marson	Ross	Wilson H

Said bill, as amended, was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 121 }
 { NOES 00 }

Those who voted in the affirmative, were

Adams	Coons	Hallock	Mansfield	Rogers
Adler	Costello	Halpin	Marson	Ross
Ahern	Cotton	Hammond	McInerney	Salyerds
Allds	Coughtry	Hanford	McKeown	Sanders
Allston	Daly	Harburger	McQuade	Scanlon
Ahern	Davis	Harris	Meister	Schneider
Axtell	DeGraw	Hasenflug	Morgan	Sherer
Babcock	Dempsey	Hatch	Nye	Smith A R
Baker	Dickey	Henry	O'Connell	Smith J L
Burns	Dickinson	Hitchcock	O'Malley	Smith J T
Bedell	Dooling	Holsten	Orr	Smith S W
Bell	Doughty	Hyman	Phillips	Smith W H
Bennet	Duross	Irwin	Phipps	Stevens
Blackwell	Dusinbery	Juengst	Platt	Sullivan
Bradley	Egan	Kaiser	Poth	Swarts
Brill	Everett	Keenan	Price	Thorn
Brooks	Fancher	Kelly	Rainey	Treat
Bruckner	Fisher	Kelsey	Reilly	Ulmann
Bryan	Fitzgerald	Knipp	Reynolds	Van Name
Burnett	Fordyce	Landon	Richter	Waite
Burns	Frisbie	Leggett	Rider	Walrath
Cadin	Gardiner R	Lewis M E	Rierdon	Weber
Conger	Geoghan	Lewis T D	Roberts	Weekes
Cook	Griffith	Mains	Robinson	Wilson H
Cooley				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have reconsidered the vote on the final passage of said bill, and as amended have again passed the same.

The Senate returned the Senate bill (No. 993, Assembly reprint No. 2175) entitled "An act to provide for the publication of the Forest, Fish and Game Law as amended (Rec. No. 234), with a message that they have agreed to the report of the committee of conference thereon in the words following:

To the Legislature:

The undersigned, appointed by the Senate and Assembly, as a committee of conference relative to the matters of difference arising between the two Houses upon the Senate bill (No. 993, Assembly reprint No. 2175) entitled "An act to provide for the

publication of the Forest, Fish and Game Law as amended" (Rec. No. 234), report that they have duly conferred upon said matters, and agreed to recommend as follows:

That the Assembly recede from its amendments and the conference committee agrees to report Senate bill No. 993.

FRANK W. HIGGINS,

E. R. BROWN,

BERNARD F. MARTIN,

Senate Conferees.

DELOS AXTELL,

J. N. HALLOCK,

THOS. F. MATHEWS,

Assembly Conferees.

Mr. Speaker put the question whether the House would agree to the report of the committee of conference on said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

{ AYES 101 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Cotton	Hammond	McQuade	Ruehl
Adler	Daly	Hanford	Meister	Salyerds
Allds	Darrison	Harris	Morgan	Sanders
Allston	DeGraw	Hatch	Nye	Schneider
Axtell	Delaney	Hawkins	O'Connell	Seymour
Babcock	Dickey	Hitchcock	Orr	Smith A R
Baker	Dooling	Honeck	Phipps	Smith J E
Baum	Duross	Hyman	Plank	Smith J L
Bell	Egan	Juengst	Poth	Smith S W
Bennet	Ellis	Keenan	Prince	Smith W H
Blackwell	Fancher	Reilley	Rainey	Snyder
Brill	Fish	Kelsey	Reilley	Sullivan
Brooks	Fitzgerald	Landon	Remsen	Swift
Bruckner	Fordyce	Lewis M E	Reynolds	Traub
Bryan	Fowler	Lynn	Richter	Treat
Burnett	Galbraith	Mains	Rierdon	Vacheron
Burns	Gardiner R	Marson	Roberts	Van Name
Cadin	Geoghan	Mathews	Rodenbeck	Walrath
Cook	Griffith	McInerney	Rogers	Weekes
Cooley	Hallock	McKeown	Ross	Wilson H
Coons				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the report of the committee of conference thereon.

The Senate returned the Senate bill (No. 876) entitled "An act to amend chapter 4 of the Laws of 1888, entitled 'An act to incorporate the city of Hornellsville,' relative to powers of common council as to sidewalks and other street improvements" (Rec. No. 188), with a message that said bill was duly passed by the Senate and Assembly, and was transmitted to the mayor of the city of Hornellsville, for a public hearing in said city, as provided by law, but was not returned by said mayor within the time prescribed by law. Said bill was thereafter and on this day duly passed, a majority of the Senators elected voting in favor thereof, and three-fifths being present.

Mr. Speaker stated the question to be "Shall this bill pass notwithstanding the failure of the mayor of the city of Hornellsville to return said bill within the time prescribed by the constitution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

} AYES 111 }
 } NOES 00 }

Those who voted in the affirmative, were

Adams	Daly	Griffith	Lewis M E	Rodenbeck
Adler	Davis	Hallock	Lewis T D	Rogers
Ahern	DeGraw	Hammond	Lynn	Ruehl
Allds	Delaney	Hanford	Mains	Sanders
Allston	Dempsey	Harburger	Marson	Schneider
Apgar	Dickey	Harris	McInerney	Sherer
Axtell	Dooling	Hasenflug	McKeown	Smith A R
Baker	Doughty	Hatch	McQuade	Smith J L
Baum	Duross	Hawkins	Meister	Smith J T
Bedell	Egan	Henry	Nye	Smith W H
Bennet	Ellis	Hitchcock	O'Connell	Snyder
Blackwell	Everett	Holsten	O'Malley	Sullivan
Bradley	Fish	Honeck	Patton	Swarts
Brooks	Fisher	Hyman	Phillips	Thorn
Bryan	Fitzgerald	Irwin	Plank	Treat

Burnett	Fitzpatrick	Juengst	Poth	Ulmann
Cadin	Fowler	Kaiser	Prince	Vacheron
Cook	Frisbie	Keenan	Rainey	Waite
Cooley	Galbraith	Kelly	Remsen	Walrath
Coons	Gardiner R	Kelsey	Richter	Weber
Costello	Gardner C J	Knipp	Rider	Weekes
Cotton	Geoghan	Leggett	Roberts	Wilson H
Coughtry				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate returned the Senate bill (No. 926) entitled "An act to amend chapter 645 of the Laws of 1899, entitled 'An act to establish and maintain a water department in and for the city of Hornellsville'" (Rec. No. 218), with a message that said bill was duly passed by the Senate and Assembly, and was transmitted to the mayor of the city of Hornellsville, for a public hearing in said city, as provided by law, but was not returned by said mayor within the time prescribed by law. Said bill was thereafter and on this day duly passed, a majority of the Senators elected voting in favor thereof, and three-fifths being present.

Mr. Speaker stated the question to be "Shall this bill pass, the same not having been returned by the mayor of the city of Hornellsville within the time prescribed by the constitution," and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

{	AYES	103	{
{	NOES	00	{

Those who voted in the affirmative, were

Adams	Coughtry	Hatch	McMillan	Salyerds
Adler	Darrison	Hawkins	Meister	Sanders
Allds	DeGraw	Hitchcock	Morgan	Scanlon
Allston	Dickey	Honeck	O'Brien	Seymour
Apgar	Dooling	Hyman	O'Connell	Smith A R
Axtell	Duross	Juengst	O'Malley	Smith J E

Baker	Egan	Kaiser	Patton	Smith J T
Baum	Everett	Keenan	Phillips	Smith S W
Bedell	Fish	Kelly	Plank	Snyder
Bennet	Fitzgerald	Kelsey	Platt	Stevens
Bradley	Fordyce	Lewis M E	Poth	Swarts
Brill	Fowler	Knipp	Prince	Swift
Brooks	Galbraith	Leggett	Rainey	Traub
Bruckner	Gardiner R	Lewis M E	Remsen	Ulmann
Burnett	Geoghan	Lewis T D	Richter	Vacheron
Burns	Griffith	Lynn	Rider	Van Name
Conger	Hallock	Mains	Rierdon	Waite
Cook	Hammond	Marson	Robinson	Weber
Coons	Hanford	Mathews	Rogers	Weekes
Costello	Harris	McKeown	Ross	Wilson W H
Cotton	Hasenflug	McInerney		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Bryan called up the bill (No. 1510) entitled "An act to amend chapter 322 of the Laws of 1850, entitled 'An act to incorporate the fire department of the village of Watertown,' in relation to the officers of the department, the powers of the directors, and changing the name thereof" (Int. No. 1172), heretofore recalled from the Governor pursuant to concurrent resolution of the Senate and Assembly.

Mr. Bryan moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 100 }
{ NOES 00 }

Those who voted in the affirmative, were

Allston	Costello	Geoghan	Mains	Ross
Adler	Cotton	Griffith	Mansfield	Ruehl
Allds	Daly	Hallock	Marson	Sanders
Allston	Davis	Hammond	Mathews	Scanlon
Apgar	DeGraw	Hanford	McKeown	Seymour

Axtell	Dempsey	Harris	McQuade	Sherer
Babcock	Dickey	Hasenflug	Morgan	Smith J E
Baum	Dooling	Hawkins	Nye	Smith J T
Bedell	Doughty	Henry	O'Connell	Smith S W
Bell	Duross	Holsten	Orr	Snyder
Bennet	Dusinbery	Honeck	Phillips	Stevens
Blackwell	Ellis	Hyman	Platt	Sullivan
Bradley	Fancher	Juengst	Price	Swift
Brooks	Fish	Kaiser	Rainey	Thorn
Brackner	Fisher	Keenan	Remsen	Treat
Burnett	Fitzpatrick	Reilley	Reynolds	Vacheron
Burns	Fordyce	Kelsey	Rider	Waite
Conger	Fowler	Knipp	Rierdon	Walrath
Cook	Galbraith	Leggett	Roberts	Weekes
Coons	Gardner C J	Lewis T D	Rodenbeck	Wilson H

Mr. Bryan moved that said bill be recommitted to the committee on affairs of cities, with instructions to report the same forthwith amended as follows:

Page 6, line 10, strike out the words "The corporate name of the;" also all of lines 11 and 12.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Bryan, and it was determined in the affirmative.

Mr. Kelsey, from the committee on affairs of cities, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

Mr. Graeff called up the bill (No. 938) entitled "An act to amend chapter 336 of the Laws of 1899, entitled 'An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claims of the several counties containing towns, villages or cities bonded to aid in the construction of any railroad passing through such towns, villages or cities, on account of the payment to the State of the State taxes collected from such railroads within such bonded towns, villages or cities,' in relation to the disposition of money awarded, and the time for presenting claims" (Int. No. 809), heretofore recalled from the Governor pursuant to concurrent resolution of the Senate and Assembly.

Mr. Graeff moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 127 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Davis	Harris	McMillan	Rogers
Adler	Delaney	Hasenflug	McQuade	Ross
Ahern	Dickey	Hatch	Meister	Salyerds
Allds	Dickinson	Hawkins	Morgan	Sanders
Allston	Deoling	Henry	Nye	Scanlon
Apgar	Doughty	Holsten	O'Brien	Schneider
Axtell	Duross	Honeck	O'Connell	Seymour
Babcock	Dusinbery	Hyman	O'Malley	Sherer
Baker	Egan	Irwin	Patton	Smith A R
Baum	Ellis	Juengst	Phillips	Smith J E
Bedell	Everett	Kaiser	Phipps	Smith J L
Bennet	Fancher	Keenan	Plank	Smith J T
Blackwell	Fish	Kelly	Platt	Smith S W
Bradley	Fisher	Kelsey	Poth	Smith W H
Brill	Fitzgerald	Knipp	Price	Stevens
Brooks	Fitzpatrick	Landon	Prince	Swarts
Bryan	Fordyce	Leggett	Rainey	Swift
Burnett	Frisbie	Lewis M E	Reilley	Thorn
Cadin	Galbraith	Lewis T D	Reynolds	Traub
Conger	Gardner C J	Mains	Richter	Ulmann
Cook	Geoghan	Mansfield	Rider	Vacheron
Cooley	Graeff	Marson	Rierdon	Van Name
Coons	Hallock	Mathews	Roberts	Waite
Costello	Halpin	McInerney	Robinson	Walrath
Cotton	Hanford	McKeown	Rodenbeck	Wilson H
Daly	Harburger			

Mr. Graeff moved that said bill be recommitted to the committee on the judiciary, with instructions to report the same forthwith, amended as follows:

Page 2, strike out all underscored matter in lines 13, 14 and 15.

Same page, strike out brackets in lines 16 and 17.

Page 4, line 8, strike out the word "three" and insert the word "two," and strike out the word "two" and insert the word "one."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Fish, from the committee on the judiciary, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

A message was received from the Senate in the words following:

IN SENATE, *April 18, 1901.*

The Senate bill (No. 1501) entitled "An act to amend chapter 58 of the Laws of 1890, entitled 'An act to incorporate the city of Corning,' relative to liability of city for damages sustained by reason of defective sidewalks, etc." (Rec. No. 261), was returned by the Assembly, with a message that they had concurred in the passage of the same.

The vote upon the final passage of said bill having been reconsidered, on motion of Mr. Sherwood, and by unanimous consent, the same was amended as follows:

Page 3, strike out lines 20, 21, 22 and 23 up to and including the bracket.

Same page, line 25, after the colon strike out the bracket.

Same page, same line, after the word "city" strike out the words "and insert."

Said bill as amended, was reprinted, re-engrossed, and having been on the desks of the members three legislative days, was passed and ordered sent to the Assembly for concurrence.

By order of the Senate,

JAMES S. WHIPPLE,

Clerk.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 114 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Dickey	Hatch	O'Brien	Smith A R
Adler	Dooling	Hawkins	O'Connell	Smith J E
Allds	Doughty	Hitchcock	O'Malley	Smith J L
Allston	Dusinbery	Holsten	Patton	Smith J T

Apgar	Ellis	Honeck	Phipps	Smith S W
Axtell	Fancher	Hyman	Plank	Smith W H
Baker	Fish	Juengst	Poth	Snyder
Baum	Fisher	Kaiser	Price	Stevens
Bell	Fitzpatrick	Keenan	Prince	Sullivan
Bennet	Fordyce	Kelly	Reilley	Swarts
Bradley	Fowler	Kelsey	Reynolds	Swift
Brill	Frisbie	Knipp	Richter	Thorn
Bryan	Galbraith	Landon	Rider	Traub
Burnett	Gardiner R	Leggett	Roberts	Treat
Cadin	Gardner C J	Lewis M E	Robinson	Ulmann
Conger	Geoghan	Lynn	Rodenbeck	Vacheron
Cooley	Griffith	Mansfield	Ross	Van Name
Coons	Hallock	Mathews	Ruehl	Waite
Cotton	Halpin	McInerney	Sanders	Walrath
Coughtry	Hammond	McMillan	Scanlon	Weber
Darrison	Harburger	McQuade	Schneider	Weekes
DeGraw	Harris	Morgan	Sherer	Wilson H
Dempsey	Hasenflug			

Mr. Speaker put the question whether the House would agree to the final passage of said bill as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 107 }
 } NOES 00 }

Those who voted in the affirmative, were

Adams	Daly	Griffith	Mains	Rodenbeck
Adler	Darrison	Halpin	Mansfield	Ross
Ahern	DeGraw	Hammond	Marson	Salyerds
Allds	Delaney	Hanford	McInerney	Sanders
Allston	Dickey	Harris	McMillan	Schneider
Apgar	Dickinson	Hasenflug	McQuade	Seymour
Bedell	Dooling	Hatch	Meister	Smith A R
Baker	Doughty	Henry	Nye	Smith J E
Baum	Dempsey	Hitchcock	O'Brien	Smith J T
Bedell	Dusinbery	Holsten	O'Malley	Smith W H
Bennet	Egan	Honeck	Orr	Stevens
Blackwell	Ellis	Irwin	Patton	Sullivan
Brill	Everett	Juengst	Plank	Swift
Brooks	Fancher	Kaiser	Poth	Thorn
Bruckner	Fish	Keenan	Price	Treat
Burnett	Fisher	Kelly	Rainey	Vacheron

Burns	Fitzpatrick	Kelsey	Reilley	Van Name
Conger	Fordyce	Knipp	Reynolds	Walrath
Cook	Frisbie	Landon	Richter	Weber
Coons	Gardiner R	Lewis M E	Rider	Weekes
Costello	Gardner C J	Lewis T D	Roberts	Wilson H
Cotton	Geoghan			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have reconsidered the vote on the final passage of said bill, and as amended have again passed the same.

The Senate returned the following entitled bills, with a message that they have concurred in the passage of the same without amendment.

"An act to amend chapter 143 of the Laws of 1892, entitled 'An act to incorporate the city of Niagara Falls,' and the acts amendatory thereof in reference to the terms of its officers." (No. 2455, Int. No. 1417.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Niagara Falls.

"An act to amend the Greater New York charter, relative to prevention of fires, explosives and combustible materials." (No. 2160, Int. No. 1243.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

"An act to amend the charter of the city of Rochester, in relation to the municipal court." (No. 2131, Int. No. 1406.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Rochester.

"An act to amend an act entitled 'An act enlarging and modifying the powers of town officers in towns within counties having over 300,000 inhabitants, and providing for public improvements within such towns, excepting the counties of New York and Kings,' being chapter 816 of the Laws of 1895." (No. 2450, Int. No. 1643.)

"An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of John Moore, of Syracuse, N. Y., against the State of New York, for compensation for work done and services performed and materials furnished for the State, and to render judgment therefor." (No. 1495, Int. No. 1156.)

“An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Benjamin C. Levy against the State of New York for damages alleged to have been sustained by him, and to render judgment therefor.” (No. 897, Int. No. 780.)

“An act to provide for a monument to the members of the Seventy-first Regiment National Guard, New York, who were killed in the late Spanish-American war or who have died since from wounds or disease contracted during said war.” (No. 2025, Int. No. 16.)

“An act to authorize the Comptroller of the State to hear and determine the application of Charles C. Cozine for cancellation of the tax sales of great lot No. 3, patent 7, Bergen’s purchase, Hamilton county, for unpaid taxes.” (No. 2425, Int. No. 1623.)

“An act to amend the proceedings incorporating the Long Island Baptist Association.” (No. 2446, Int. No. 1639.)

“An act authorizing villages of the fourth class containing a territory of less than one square mile to acquire private streets as parkways and providing for the maintenance thereof.” (No. 2507, Int. No. 1585.)

“An act to amend the State Charities Law, relating to the transfer of inmates to the penitentiary or Elmira or Eastern New York reformatories.” (No. 2171, Int. No. 487.)

“An act to amend section 614 of the Penal Code, relating to the directors of corporations.” (No. 2309, Int. No. 1244.)

“An act to amend the Real Property Law, relating to the descent of real property.” (No. 1543, Int. No. 637.)

“An act to amend the Tax Law, in relation to redemption from tax sales.” (No. 1787, Int. No. 1308.)

Ordered, That the Clerk deliver said bills to the Governor.

A communication was received from Hon. Edwin W. Fiske, mayor of the city of Mount Vernon, returning Assembly bill No. 2308, entitled “An act to amend chapter 182 of the Laws of 1892, entitled ‘An act to incorporate the city of Mount Vernon,’ relative to the powers of the board of education” (Int. No. 1478), with a message that said mayor, and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Edwin W. Fiske, mayor of the city of Mount Vernon, returning Assembly bill No. 1673, entitled "An act to amend chapter 182 of the Laws of 1892, entitled 'An act to incorporate the city of Mount Vernon,' relative to the compensation and duties of the marshal of the city court of Mount Vernon" (Int. No. 986), with a message that said mayor, and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Geo. W. Lane, mayor of the city of Corning, returning Assembly bill No. 1348, entitled "An act to amend chapter 240 of the Laws of 1862, entitled 'An act to incorporate the fire department of the village of Corning,' relative to the election of officers" (Int. No. 868), with a message that said mayor, and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

Mr. T. D. Lewis offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That Assembly bill No. 1219, entitled "An act authorizing the Court of Claims to hear and determine the alleged claims against the State for damages, permanent or otherwise, arising from the rebuilding and raising the dam at Oswego Falls in the Oswego river" (Int. No. 1004), be returned to the Governor.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

The Senate returned the concurrent resolution ordering returned to the Governor Assembly bill No. 1219, entitled "An act authorizing the Court of Claims to hear and determine the alleged claims against the State for damages, permanent or otherwise, arising from the rebuilding and raising the dam at Oswego Falls in the Oswego river" (Int. No. 1004), with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said bill to the Governor.

Mr. McKeown offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill No. 422, entitled "An act to amend chapter 772 of the Laws of 1896, relative to the salary of chief clerk of the district attorney of Kings county" (Int. No. 126), for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

The Senate returned the concurrent resolution recalling from the Governor, for the purpose of amendment, Assembly bill No. 422, entitled "An act to amend chapter 772 of the Laws of 1896, relative to the salary of chief clerk of the district attorney of Kings county" (Int. No. 126), with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK—EXECUTIVE CHAMBER,
ALBANY, *April 18, 1901.*

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill No. 422, entitled "An act to amend chapter 772 of the Laws of 1896, relative to the salary of chief clerk of the district attorney of Kings county." (Int. No. 126),

B. B. ODELL, JR.

Mr. Fish offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill No. 1768, entitled "An act to amend the Stock Corporation Law, in relation to the power of mortgage property, reorganization of corporations, liability of stockholders and directors and repealing certain sections of said law" (Int. No. 15), for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

The Senate returned the concurrent resolution recalling from the Governor, for the purpose of amendment, Assembly bill No. 1768, entitled "An act to amend the Stock Corporation Law, in relation to the power to mortgage property, reorganization of corporations, liability of stockholders and directors and repealing certain sections of said law" (Int. No. 15), with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK—EXECUTIVE CHAMBER,
ALBANY, April 18, 1901.

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill No. 1768, Senate reprint No. 1296, entitled "An act to amend the Stock Corporation Law, in relation to the power to mortgage property, reorganization of corporations, liability of stockholders and directors and repealing certain sections of said law." (Int. No. 15.)

B. B. ODELL, JR.

The Senate sent for concurrence a resolution in the words following:

Resolved (if the Assembly concur), That the Senate bill No. 1116, entitled "An act to amend the Forest, Fish and Game Law, relative to powers of game protectors" (Rec. No. 274), be returned to the Governor.

Said resolution was referred to the committee on rules.

The Senate sent for concurrence a resolution, in the words following:

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return of Senate bill No. 1074, entitled "An act to amend the Tax Law, in relation to the return by the collector of unpaid taxes" (Rec. No. 408), for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

On request of Mr. Dooling the bill (No. 2327) entitled "An act to enable the police commissioner of the city of New York to rehear and determine the charges against Michael Linehan, a former policeman of the city of New York" (Int. No. 1581), was referred to the committee on rules, for the purpose of making said bill a special order on third reading.

On request of Mr. Allds, the Senate bill (No. 635) entitled "An act to amend the Public Health Law, in relation to the registration of pharmacies and drug stores" (Rec. No. 158), was referred to the committee on rules, for the purpose of making said bill a special order on second and third reading.

On request of Mr. Vacheron, the Senate bill (No. 761, Assembly reprint No. 2570) entitled "An act to provide for rebinding, recopying and transcribing certain books and records in the office of the clerk of the county of Queens" (Rec. No. 408), was referred to the committee on rules, for the purpose of making said bill a special order on third reading.

On request of Mr. Bryan, the Senate bill (No. 1474, Assembly reprint No. 2543) entitled "An act to authorize the city of Watertown to receive a donation for and to establish and maintain 'The Roswell P. Flower Memorial Library,' as a free public library in and for said city" (Rec. No. 438), was referred to the committee on rules, for the purpose of making said bill a special order on second and third reading.

On request of Mr. Platt, the bill (No. 385) entitled "An act to authorize the building of an extension of a dyke for the protection of property adjacent to the Chemung river in the town of Corning, in the county of Steuben, and making an appropriation therefor" (Int. No. 370), was referred to the committee on rules, for the purpose of making said bill a special order on second and third reading.

On request of Mr. Bradley, the bill (No. 177) entitled "An act providing for the construction of a bridge over the Clark and Skinner canal, at Ohio street, in the city of Buffalo, and making an appropriation therefor" (Int. No. 177), was referred to the committee on rules, for the purpose of making said bill a special order on second and third reading.

On request of Mr. Costello, the bill (No. 2555, entitled "An act to amend the Forest, Fish and Game Law, relative to close season for black bass in certain localities" (Int. No. 1158), was referred to the committee on rules, for the purpose of making said bill a special order on second and third reading.

On request of Mr. Cooley, the bill (No. 2497) entitled "An act to amend chapter 908 of the Laws of 1896, entitled 'An act in relation to taxation, constituting chapter 24 of the general laws,' in relation to the cancellation of certain tax sales" (Int. No. 1660), was referred to the committee on rules, for the purpose of making said bill a special order on second and third reading.

On request of Mr. Axtell, the Senate bill (No. 881, Assembly reprint No. 2545) entitled "An act to amend the Forest, Fish and Game Law, relating to forest fires" (Rec. No. 42), was referred to the committee on rules, for the purpose of making said bill a special order on second and third reading.

On request of Mr. Sullivan, the Senate bill (No. 1456) entitled "An act amending section 276 of the Greater New York charter, relative to the telegraph operators in the police department" (Rec. No. 448), was referred to the committee on rules, for the purpose of making said bill a special order on second and third reading.

On request of Mr. Mansfield, the Senate bill (No. 506, Assembly reprint No. 2340) entitled "An act to amend section 82 of chapter 683 of the Laws of 1892, known as the Executive Law, with respect to notaries public acting in more than one county" (Rec. No. 46), was referred to the committee on rules, for the purpose of making said bill a special order on second and third reading.

On request of Mr. Allston, the Senate bill (No. 1548) entitled "An act to provide for the erection of a suitable monument to the memory of the soldiers of the Thirty-fourth Regiment Volunteer Infantry of the State of New York, who were engaged in the battle of Antietam, and making an appropriation therefor" (Rec. No. 409), was referred to the committee on rules, for the purpose of making said bill a special order on second and third reading.

On request of Mr. Bryan, the Senate bill (No. 424) entitled "An act to appropriate money for the repair and improvement of the State armory at Watertown, N. Y." (Rec. No. 394), was referred

to the committee on rules, for the purpose of making said bill a special order on second and third reading.

On request of Mr. O'Malley, the Senate bill (No. 1087) entitled "An act to amend the Insurance Law, relative to insurance against disablement resulting from sickness" (Rec. No. 393), was referred to the committee on rules, for the purpose of making said bill a special order on second and third reading.

On request of Mr. O'Malley, the Senate bill (No. 1088) entitled "An act to amend the Insurance Law relating to the valuation of policies of health insurance" (Rec. No. 392), was referred to the committee on rules for the purpose of making said bill a special order on third reading.

On request of Mr. Axtell, the Senate bill (No. 1309) entitled "An act to extend the time of the Upper Hudson Railroad Company to begin the construction of its road, and to expend thereon 10 per centum of the amount of its capital and to furnish its road and to put it in operation" (Rec. No. 458), was referred to the committee on rules, for the purpose of making said bill a special order on third reading.

On request of Mr. Bennet, the Senate bill (No. 1386) entitled "An act relating to the Commissioners of the Palisades Interstate park confirming their appointment and enlarging their powers" (Rec. No. 457), was referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

On request of Mr. Apgar, the Senate bill (No. 971) entitled "An act to amend chapter 128 of the Laws of 1899, entitled 'An act to incorporate the city of New Rochelle,' relating to appropriation for public lighting" (Rec. No. 479), was referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

On request of Mr. Bennet, the Senate bill (No. 31) entitled "An act to exempt from taxation certain real estate leased to Saint John's Armenian Apostolic Church, in the city of New York" (Rec. No. 289), was referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

On request of Mr. Bedell, the Senate bill (No. 1505) entitled "An act to amend the County Law, in relation to the salary of the county judge and surrogate of Orange county" (Rec. No. 462),

was referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

On request of Mr. Morgan, the Senate bill (No. 1549) entitled "An act to amend the Public Health Law, in regard to the right of the Regents to admit to examination in certain medical studies" (Rec. No. 480), was referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

On request of Mr. M. E. Lewis, the Senate bill (No. 1507) entitled "An act to amend the Tax Law, relating to the taxation of the stockholders of banks and banking associations" (Rec. No. 453), was referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

On motion of Mr. Allds, the House adjourned to meet to-morrow at 11 o'clock a. m.

FRIDAY, APRIL 19, 1901.

The House met pursuant to adjournment.

Prayer by Rev. Edgar H. Brown.

On motion of Mr. Allds, the reading of the journal of yesterday was dispensed with and the same was approved.

The Senate sent for concurrence the following entitled bills:

"An act to amend section 36 of the University Law as to the establishment and support of public and free libraries" (No. 1528, Rec. No. 466), which was read the first time and referred to the committee on rules.

"An act to amend subsection 5 of section 34 of the University Law on powers of trustees of institutions in the university" (No. 1529, Rec. No. 467), which was read the first time and referred to the committee on rules.

"An act to amend chapter 559 of the Laws of 1895, entitled 'An act relating to membership corporations, constituting chapter 43 of the general laws,' by adding a new section to article 7 thereof relating to Christian associations, to be known as section 93 of said chapter" (No. 1527, Rec. No. 468), which was read the first time and referred to the committee on rules.

"An act to amend chapter 390 of the Laws of 1896, entitled 'An act to provide for the reimbursement of the expenses and disbursements paid and incurred by the several justices of the Supreme Court, who are designated as justices of the Appellate Division of that court,' relative to the payment of such expenses" (No. 1310, Rec. No. 469), which was read the first time and referred to the committee on rules.

"An act authorizing the board of estimate and apportionment of the city of New York to audit and allow, and also authorizing the comptroller of the city of New York to pay to certain persons compensation for 'services actually rendered to the city of New York in the department of public charities in the year 1899, pending the preparation of 'municipal civil service eligible list for the position of apothecaries and nurses in said department'" (No. 1485, Rec. No. 470), which was read the first time and referred to the committee on rules.

"An act to amend chapter 614 of the Laws of 1887, being an act to establish a police pension fund for the city of 'Rochester'" (No. 1536, Rec. No. 471), which was read the first time and referred to the committee on rules.

"An act to amend 'section 351 of the Penal Code relative to pool-selling, book-making, bets and wagons, etc.'" (No. 1511, Rec. No. 472), which was read the first time and referred to the committee on rules.

"An act in relation to the proof of judgments rendered before justices of the peace in other States, and to amend 'section 948 of the Code of Civil Procedure'" (No. 1513, Rec. No. 473), which was read the first time and referred to the committee on rules.

"An act to amend the Banking Law by providing that the expenses incurred and services performed on 'account of any foreign bank or banking corporation, and the examination thereof or of its agencies, 'shall be defrayed by said foreign bank or banking corporation or its agencies located in this State'" (No. 1546, Rec. No. 474), which was read the first time and referred to the committee on rules.

"An act to protect the public health by regulating the teaching and practice of hypnotism and mesmerism" (No. 1413, Rec. No. 475), which was read the first time and referred to the committee on rules.

"An act providing for the appointment of referees by the justices of the Appellate Division of the Supreme Court for the First Judicial Department" (No. 1482, Rec. No. 476), which was read the first time and referred to the committee on rules.

"An act conferring jurisdiction upon the Court of Claims to hear, audit, and determine the alleged claims of certain owners of real property in New York city for damages alleged to have been caused to said property by the operations carried out pursuant to chapter 339 of the Laws of 1892" (No. 520, Rec. No. 477), which was read the first time and referred to the committee on rules.

"Concurrent resolution proposing amendment to article 6 of the constitution, relating to the election of additional justices of the Supreme Court, in the words following:" (No. 1159, Rec. No. 478), which was read the first time and referred to the committee on rules.

"An act to amend chapter 128 of the Laws of 1899, entitled 'An act to incorporate the city of New Rochelle,' relating to appropriation for public lighting" (No. 971, Rec. No. 479), which was read the first time and referred to the committee on rules.

"An act to amend the Public Health Law, in regard to the right of the Regents to admit to examination in certain medical studies" (No. 1549, Rec. No. 480), which was read the first time and referred to the committee on rules.

"An act to amend the Forest, Fish and Game Law relative to closing streams" (No. 1558, Rec. No. 481), which was read the first time and referred to the committee on rules.

"An act to repeal chapter 107 of the Laws of 1875, entitled 'An act in relation to the treatment of animals'" (No. 1554, Rec. No. 482), which was read the first time and referred to the committee on rules.

"An act to repeal chapter 107 of the Laws of 1875, entitled 'An act in relation to the treatment of animals'" (No. 1562, Rec. No. 483), which was read the first time and referred to the committee on rules.

"An act to amend the Tax Law in relation to the taxation of trust companies" (No. 1553, Rec. No. 484), which was read the first time and referred to the committee on rules.

"An act to amend chapter 410 of the Laws of 1882, entitled

'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' relating to Hellgate pilots " (No. 1533, Rec. No. 485), which was read the first time and referred to the committee on rules.

"An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Charles D. Thomas as administrator of the goods, chattels and credits of Jennie M. Thomas, deceased, against the State of New York for damages for the death of the said Jennie M. Thomas, deceased " (No. 1016, Rec. No. 486), which was read the first time and referred to the committee on rules.

"An act in relation to admission to examinations for license to practice veterinary medicine " (No. 1078, Rec. No. 487), which was read the first time and referred to the committee on rules.

"An act to further amend chapter 326 of the Laws of 1895, entitled 'An act to provide for the incorporation of associations for lending money on personal property, and to forbid certain loans of money, property or credit " (No. 1538, Rec. No. 488), which was read the first time and referred to the committee on rules.

"An act to provide for the erection of a suitable monument to the memory of the soldiers of the Thirty-fourth Regiment Volunteer Infantry of the State of New York, who were engaged in the battle of Antietam, and making an appropriation therefor " (No. 1548, Rec. No. 409), which was read the first time and referred to the committee on rules.

By unanimous consent,

Mr. McKeown introduced a bill entitled "An act to amend the Greater New York charter, relative to the department of docks and ferries " (Int. No. 1698), which was read the first time and referred to the committee on rules.

Mr. Speaker, from the committee on rules, to which was referred the following entitled bills, reported in favor of the passage of the same, without amendment, and that the same be made special orders on second and third reading immediately after the consideration of special orders on third reading heretofore reported.

"An act to amend section 154 of chapter 143 of the Laws of 1892, entitled 'An act to incorporate the city of Niagara Falls,' and the acts amendatory thereof and supplemental thereto, rela-

tive to the issuing of bonds by the board of education and their payment." (No. 2547, Int. No. 1676.)

"An act to authorize the New York and London Trust Company to increase the number of its directors." (No. 2568, Int. No. 1693.)

"An act to authorize and empower the city of Rochester to enter into a contract with the Rochester Railway Company, adjusting and settling all differences between the city and said railway company as to the amount due and owing from the company to the city for certain pavements heretofore made by the city pursuant to section 98 of the Railroad Law, and providing for the payment of the same." (No. 2550, Int. No. 1679.)

"An act to amend the Tax Law, in relation to the taxation of trust companies." (No. 2567, Int. No. 1692.)

Which report was agreed to, and said bills ordered made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported.

Mr. Speaker, from the committee on rules, to which was referred the following entitled bills, reported in favor of the passage of the same, without amendment, and that the same be made a special order on third reading immediately.

Senate, "An act to amend the Domestic Commerce Law, in relation to the size of apple, pear, quince and potato barrels." (No. 551, Assembly reprint No. 2376, Rec. No. 194.)

"An act to amend chapter 14 of the Laws of 1880, entitled 'An act to further amend chapter 143 of the Laws of 1861, entitled An act to amend and consolidate the several acts in relation to the charter of the city of Rochester, and to consolidate therewith the several acts in relation to the charter of said city,' relative to expenses incident to improvements." (No. 2556, Int. No. 1648.)

"An act making an appropriation for the settlement of the balance due upon the contract for legislative printing, which expired October 1, 1899." (No. 2502, Int. No. 1665.)

"An act to amend the General Municipal Law, relative to the passage of ordinances relating to children upon the public streets during certain hours of the night." (No. 2473, Int. No. 848.)

Which report was agreed to, and said bills ordered made special orders on third reading immediately.

Mr. Speaker, from the committee on rules, to which was referred the following entitled bills, reported in favor of the passage of the same, without amendment, and that the same be made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported:

“An act to amend the Insurance Law, relating to title and credit guaranty corporations.” (No. 2557, Int. No. 1683.)

Senate, “An act authorizing the board of estimate and apportionment of the city of New York to audit and allow, and also authorizing the Comptroller of the city of New York to pay to certain persons compensation for services actually rendered to the city of New York in the department of public charities in the year 1899, pending the preparation of municipal civil service eligible list for the position of apothecaries and nurses in said department.” (No. 1485, Rec. No. 470.)

Senate, “An act to amend subsection 5 of section 34 of the University Law on powers of trustees of institutions in the university.” (No. 1529, Rec. No. 467.)

Senate, “An act to amend chapter 614 of the Laws of 1887, being an act to establish a police pension fund for the city of Rochester.” (No. 1536, Rec. No. 471.)

Senate, “An act to amend chapter 390 of the Laws of 1896, entitled ‘An act to provide for the reimbursement of the expenses and disbursements paid and incurred by the several justices of the Supreme Court, who are designated as justices of the Appellate Division of that court,’ relative to the payment of such expenses.” (No. 1310, Rec. No. 469.)

Senate, “An act to amend the Stock Corporations Law, in relation to the issue of debenture bond stock.” (No. 1359, Rec. No. 417.)

Senate, “An act to amend sections 150 and 582 of the Code of Civil Procedure so as to enable all persons arrested or attached and held to bail on civil process, to deposit money in lieu of bail.” (No. 974, Rec. No. 388.)

Senate, “An act to enable owners of property liable to be assessed for a local improvement to review and correct the fixing of the district of assessment therefor.” (No. 1113, Rec. No. 282.)

Senate, "An act to provide for the taxation and payment of the fees and expenses of the commissioners of estimate and assessment heretofore appointed by the Supreme Court in the proceedings in the city of New York for the extension and opening of Manhattan street in said city." (No. 1334, Rec. No. 377.)

Senate, "An act to authorize the Comptroller of this State to hear and determine the several applications of David C. Leech and Minnie A. Lord for the cancellation of the sale of 1890 for the taxes of 1860 of a tract of land in the town of Schroon, county of Essex, State of New York, described as 'Rogers (Platt) & Company's road-patent lot 1; subdivision 11 thereof, containing 94 acres more or less' and conveyed to the people of the State of New York." (No. 1409, Rec. No. 421.)

Senate, "An act authorizing the Niskayuna Power Company to construct and maintain a dam across the Mohawk river between the towns of Clifton Park and Niskayuna." (No. 1194, Rec. No. 405.)

Senate, "An act to amend sections 1215 and 1216 of the Code of Civil Procedure with respect to the rendering of judgments." (No. 530, Rec. No. 337.)

Senate, "An act making an appropriation for paying a portion of the cost of constructing an extension of what is known as the State hospital sewer, from its present terminus on the east bank of the Chenango river, in the city of Binghamton, across said river and down the Susquehanna river, to a point near the western limits of said city of Binghamton." (No. 1500, Rec. No. 463.)

Senate, "An act to amend section 2 of chapter 378 of the Laws of 1883, entitled 'An act in relation to receivers of corporations.' " (No. 1100, Rec. No. 450.)

Senate, "An act making an appropriation for the New York State Hospital for the Care of Crippled and Deformed Children." (No. 1224, Rec. No. 325.)

Senate, "An act to amend chapter 559 of the Laws of 1895, entitled 'An act relating to membership corporations, constituting chapter 43 of the general laws,' by adding a new section to article 7 thereof, relating to Christian associations, to be known as section 93 of said chapter." (No. 1527, Rec. No. 468.)

Senate, "An act to amend section 55 of the Insurance Law, in relation to insurance upon the lives of minors." (No. 1369, Rec. No. 433.)

Senate, "An act to amend section 180 of the Tax Law by reducing the organization tax." (No. 1417, Rec. No. 427.)

Senate, "An act to extend the time of the New York Title Guarantee Company to pay in the remaining two-thirds of its capital stock." (No. 606, Rec. No. 185.)

Senate, "An act to amend chapter 112 of the Laws of 1896, entitled 'An act in relation to the traffic in liquors, and for the taxation and regulation of the same, and to provide for local option, constituting chapter 29 of the general laws,' as amended by chapter 312 of the Laws of 1897, by chapter 167 of the Laws of 1898, by chapters 398 and 434 of the Laws of 1899, and by chapters 257 and 367 of the Laws of 1900." (No. 1181, Rec. No. 334.)

Senate, "An act to authorize the board of public improvements of the city of New York to lay out, open and construct a street, road, avenue, or highway from the present easterly terminus of the Eastern parkway, in the borough of Brooklyn and city of New York and county of Kings, to the westerly boundary or side of Forrest park in said city, in the county of Queens, through the lands of Cypress Hills cemetery, situate in the counties of Kings and Queens." (No. 1411, Rec. No. 422.)

Which report was agreed to, and said bills ordered made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported.

Mr. Babcock, from the committee on printed and engrossed bills, reported as correctly printed the following entitled bills:

"An act to amend chapter 336 of the Laws of 1899, entitled 'An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claims of the several counties containing towns, villages or cities bonded to aid in the construction of any railroad passing through such towns, villages or cities, on account of the payment to the State of the State taxes collected from such railroads within such bonded towns, villages or cities,' in relation to the disposition of money awarded, and the time for presenting claims." (No. 2575, Int. No. 809.)

"An act to amend chapter 322 of the Laws of 1850, entitled 'An act to incorporate the fire department of the village of Watertown,' in relation to the officers of the department, the powers

of the directors, and changing the name thereof." (No. 2577, Int. No. 1172.)

Mr. Speaker announced the special order, being the bill (No. 2547) entitled "An act to amend section 154 of chapter 143 of the Laws of 1892, entitled 'An act to incorporate the city of Niagara Falls,' and the acts amendatory thereof and supplemental thereto, relative to the issuing of bonds by the board of education and their payment." (Int. No. 1676.)

Said bill was read the second time.

On motion of Mr. Leggett, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 112 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Daly	Hammond	Marson	Rodenbeck
Adler	Darrison	Hanford	Mathews	Ross
Ahern	DeGraw	Harburger	McInerney	Ruehl
Allds	Delaney	Hasenflug	McMillan	Sanders
Apgar	Dickey	Hatch	McQuade	Scanlon
Axtell	Dickinson	Hawkins	Morgan	Seymour
Babcock	Doughty	Henry	O'Brien	Sherer
Baker	Duross	Hitchcock	O'Malley	Smith J E
Baum	Egan	Holsten	Orr	Smith J L
Bedell	Ellis	Honeck	Patton	Smith S W
Bennet	Fancher	Irwin	Phillips	Snyder
Blackwell	Fish	Juengst	Phipps	Stevens
Bradley	Fitzgerald	Kaiser	Platt	Sullivan
Brill	Fitzpatrick	Keenan	Poth	Swift
Bruckner	Fordyce	Kelly	Price	Thorn
Bryan	Fowler	Kelsey	Rainey	Traub
Burns	Galbraith	Knipp	Reilley	Ulmann
Cadin	Gardiner R	Leggett	Remsen	Vacheron

Cook	Gardner C J	Lewis M E	Reynolds	Waite
Cooley	Geoghan	Lewis T D	Rider	Walrath
Coons	Griffith	Lynn	Rierdon	Weekes
Costello	Hallock	Mansfield	Richter	Wilson H
Coughtry	Halpin			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2550) entitled "An act to authorize and empower the city of Rochester to enter into a contract with the Rochester Railway Company, adjusting and settling all differences between the city and said railway company as to the amount due and owing from the company to the city for certain pavements heretofore made by the city pursuant to section 98 of the Railroad Law, and providing for the payment of the same." (Int. No. 1679.)

Said bill was read the second time.

On motion of Mr. M. E. Lewis, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 113 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Darrison	Hallock	Mathews	Scanlon
Adler	DeGraw	Hammond	McInerney	Schneider
Ahern	Delaney	Hanford	McMillan	Sherer
Allds	Dickey	Harburger	McQuade	Smith A R
Allston	Dickinson	Harris	Morgan	Smith J E
Apgar	Dooling	Hatch	O'Brien	Smith J L
Axtell	Doughty	Hawkins	O'Malley	Smith S W
Babcock	Duross	Henry	Orr	Snyder
Baker	Egan	Hitchcock	Phillips	Stevens
Bedell	Ellis	Honeck	Phipps	Sullivan
Bell	Everett	Hyman	Platt	Swift

Bennet	Fancher	Irwin	Price	Thorn
Blackwell	Fish	Juengst	Prince	Traub
Bradley	Fitzgerald	Kaiser	Reynolds	Treat
Brooks	Fitzpatrick	Keenan	Richter	Ulmann
Bruckner	Fordyce	Kelly	Rider	Vacheron
Burnett	Fowler	Kelsey	Rierdon	Van Name
Cadin	Frisbie	Knipp	Roberts	Waite
Cook	Gardiner R	Leggett	Rodenbeck	Walrath
Coons	Gardner C J	Lewis M E	Rogers	Weber
Costello	Geoghan	Lynn	Ruehl	Weekes
Cotton	Graeff	Mains	Sanders	Wilson H
Daly	Griffith	Marson		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2557) entitled "An act to amend the Insurance Law relating to title and credit guaranty corporations." (Int. No. 1683.)

Said bill was read the second time.

On motion of Mr. Fish, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{	AYES	93	}
{	NOES	27	}

Those who voted in the affirmative, were

Ahern	Cotton	Hatch	O'Brien	Schneider
Allds	Darrison	Henry	O'Malley	Seymour
Allston	Davis	Hitchcock	Orr	Sherer
Axtell	Dickinson	Honeck	Patton	Smith A R
Babcock	Dusinbery	Irwin	Phillips	Smith J L
Baker	Ellis	Kelly	Plank	Smith J T
Bedell	Everett	Kelsey	Platt	Smith S W
Bell	Fancher	Knipp	Price	Smith W H
Bennet	Fish	Landon	Rainey	Snyder
Blackwell	Fisher	Leggett	Remsen	Stevens
Brill	Fordyce	Lewis M E	Reynolds	Swift

Brooks	Fowler	Lewis T D	Roberts	Thorn
Bryan	Gardiner R	Mains	Robinson	Traub
Cadin	Gardner CJ	Mansfield	Rodenbeck	Treat
Conger	Graeff	Marson	Rogers	Vacheron
Cook	Hallock	McMillan	Ross	Walrath
Cooley	Hammond	McQuade	Ruehl	Weber
Coons	Hanford	Morgan	Salyerds	Wilson H
Costello	Harris	Nye		

Those who voted in the negative, were

Adams	Duross	Holsten	Meister	Rjder
Baum	Egan	Hyman	O'Connell	Rierdon
Bradley	Fitzpatrick	Juengst	Prince	Sanders
Bruckner	Geoghan	Mathews	Reilley	Ulmann
Burns	Harburger	McInerney	Richter	Van Name
Daly	Hawkins			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1148, Assembly reprint No. 2376) entitled "An act to amend the Domestic Commerce Law, in relation to the size of apple, pear, quince and potato barrels." (Rec. No. 194.)

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 112 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Darrison	Henry	Meister	Schneider
Adler	Davis	Hitchcock	Morgan	Sherer
Ahern	DeGraw	Honeck	Nye	Smith A R
Allds	Dempsey	Hyman	O'Connell	Smith J L
Apgar	Dickey	Juengst	O'Malley	Smith J T
Babcock	Dooling	Kaiser	Patton	Smith S W
Baker	Duross	Keenan	Phillips	Smith W H
Baum	Dusinbery	Kelly	Phipps	Stevens

Bedell	Egan	Kelsey	Platt	Sullivan
Bell	Everett	Knipp	Poth	Swarts
Blackwell	Fish	Landon	Price	Swift
Bradley	Fisher	Leggett	Rainey	Thorn
Brill	Fitzpatrick	Lewis M E	Reilley	Traub
Brooks	Fowler	Lewis T D	Remsen	Treat
Bruckner	Frisbie	Lynn	Richter	Ulmann
Burnett	Gardner C J	Mains	Rider	Vacheron
Burns	Geoghan	Mansfield	Roberts	Van Name
Conger	Griffith	Marson	Robinson	Waite
Cook	Halpin	Mathews	Rogers	Walrath
Cooley	Hammond	McInerney	Ross	Weber
Costello	Harburger	McMillan	Salyerds	Weekes
Cotton	Harris	McQuade	Sanders	Wilson W H
Coughtry	Hatch			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

Mr. Speaker announced the special order, being the bill (No. 2502) entitled "An act making an appropriation for the settlement of the balance due upon the contract for legislative printing, which expired October 1, 1899." (Int. No. 1665.)

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 106 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Dickinson	Hawkins	McMillan	Sanders
Adler	Dooling	Hitchcock	Meister	Schneider
Ahern	Duross	Holsten	Morgan	Seymour
Allston	Egan	Hyman	O'Brien	Smith A R
Apgar	Ellis	Irwin	O'Connell	Smith J E
Babcock	Fancher	Juengst	Orr	Smith J L
Baker	Fish	Kaiser	Patton	Smith S W
Bedell	Fitzgerald	Keenan	Phillips	Smith W H
Bell	Fitzpatrick	Kelly	Phipps	Stevens

Blackwell	Fowler	Kelsey	Platt	Sullivan
Brill	Frisbie	Knipp	Price	Swarts
Bruckner	Gardiner R	Landon	Prince	Swift
Bryan	Gardner C J	Leggett	Reilley	Traub
Burns	Graeff	Lewis M E	Remsen	Treat
Conger	Griffith	Lewis T D	Richter	Ulmann
Cook	Halpin	Lynn	Rider	Vacheron
Coons	Hammond	Mains	Roberts	Waite
Cotton	Hanford	Mansfield	Robinson	Walrath
Daly	Harris	Marson	Rogers	Weber
Davis	Hasenflug	Mathews	Ruehl	Weekes
DeGraw	Hatch	McKeown	Salyerds	Wilson H
Dempsey				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2473) entitled "An act to amend the General Municipal Law, relative to the passage of ordinances relating to children upon the public streets during certain hours of the night." (Int. No. 848.)

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 119 }
 { NOES 00 }

Those who voted in the affirmative, were

Adams	Delaney	Harburger	McMillan	Salyerds
Adler	Dempsey	Harris	Meister	Sanders
Ahern	Dickey	Hasenflug	Morgan	Scanlon
Allds	Dickinson	Hatch	Nye	Seymour
Allston	Dooling	Hawkins	O'Brien	Sherer
Axtell	Duross	Hitchcock	O'Malley	Smith A R
Baker	Dusinbery	Holsten	Orr	Smith J E
Baum	Egan	Hyman	Patton	Smith J L
Bedell	Ellis	Irwin	Phillips	Smith S W
Bell	Everett	Juengst	Plank	Snyder
Blackwell	Fish	Kaiser	Platt	Stevens

Bradley	Fisher	Keenan	Poth	Sullivan
Brill	Fitzpatrick	Kelly	Price	Swift
Brooks	Fordyce	Kelsey	Prince	Thorn
Bruckner	Frisbie	Knipp	Reilley	Traub
Bryan	Galbraith	Landon	Remsen	Treat
Burns	Gardner C J	Leggett	Reynolds	Ulmann
Cadin	Geoghan	Lewis M E	Richter	Vacheron
Cook	Graeff	Lynn	Rierdon	Van Name
Coons	Griffith	Mains	Roberts	Waite
Cotton	Hallock	Mansfield	Robinson	Weber
Daly	Halpin	Mathews	Rodenbeck	Weekes
Davis	Hammond	McInerney	Rogers	Wilson H
DeGraw	Hanford	McKeown	Ross	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the Senate bill (No. 1411) entitled "An act to authorize the board of public improvements of the city of New York to lay out, open and construct a street, road, avenue, or highway from the present easterly terminus of the Eastern parkway, in the borough of Brooklyn and city of New York and county of Kings, to the westerly boundary or side of Forrest park in said city, in the county of Queens, through the lands of Cypress Hills cemetery, situate in the counties of Kings and Queens." (Rec. No. 422.)

Said bill was read the second time.

On motion of Mr. Hasenflug, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 111 }
 { NOES 3 }

Those who voted in the affirmative, were

Adams	Dempsey	Henry	O'Malley	Scanlon
Ahern	Dickinson	Hitchcock	Orr	Seymour
Allds	Doughty	Honeck	Phillips	Sherer

Allston	Dusinbery	Juengst	Phipps	Smith A R
Apgar	Egan	Kaiser	Platt	Smith J E
Axtell	Everett	Keenan	Poth	Smith J L
Babcock	Fancher	Kelly	Price	Smith S W
Baker	Fisher	Kelsey	Prince	Smith W H
Baum	Fitzgerald	Landon	Rainey	Schneider
Bell	Fitzpatrick	Leggett	Reilley	Stevens
Bradley	Fowler	Lewis M E	Remsen	Sullivan
Brill	Frisbie	Lewis T D	Reynolds	Swarts
Brooks	Gardiner R	Mains	Richter	Swift
Bryan	Gardner C J	Mansfield	Rider	Thorn
Burns	Graeff	Marson	Rierdon	Traub
Cadin	Griffith	Mathews	Roberts	Treat
Cook	Hallock	McInerney	Robinson	Vacheron
Cooley	Hammond	McKeown	Rogers	Van Name
Costello	Hanford	McQuade	Ross	Waite
Coughtry	Harris	Meister	Ruehl	Walrath
Daly	Hatch	Nye	Salyerds	Weber
Davis	Hawkins	O'Brien	Sanders	Weekes
Delaney				

Those who voted in the negative, were

Bennet Hyman Wilson H

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Allds moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded:

Adams	Dempsey	Hanford	McKeown	Ruehl
Adler	Dickey	Harburger	Meister	Salyerds
Ahern	Dickinson	Harris	Morgan	Sanders
Allds	Dooling	Hasenflug	O'Brien	Schneider
Allston	Doughty	Hatch	O'Connell	Seymour
Axtell	Duross	Hawkins	O'Malley	Sherer
Babcock	Dusinbery	Henry	Orr	Smith A R
Baker	Egan	Hitchcock	Patton	Smith J E
Bedell	Ellis	Holsten	Phillips	Smith J L
Bell	Everett	Hyman	Phipps	Smith J T
Blackwell	Fancher	Irwin	Plank	Smith S W
Bradley	Fish	Juengst	Platt	Smith W H

Brill	Fisher	Kaiser	Poth	Snyder
Brooks	Fitzgerald	Keenan	Price	Stevens
Bruckner	Fitzpatrick	Kelly	Prince	Sullivan
Bryan	Fordyce	Kelsey	Rainey	Swift
Burnett	Fowler	Knipp	Reilley	Thorn
Cadin	Frisbie	Landon	Remsen	Traub
Conger	Galbraith	Leggett	Reynolds	Ulmann
Cook	Gardiner R	Lewis M E	Richter	Vacheron
Coons	Gardner C J	Lewis T D	Rider	Van Name
Cotton	Graeff	Lynn	Rierdon	Walrath
Costello	Griffith	Mains	Roberts	Weber
Coughtry	Hallock	Mansfield	Robinson	Weekes
Darrison	Halpin	Mathews	Rodenbeck	Wilson H
Davis	Hammond	McInerney	Rogers	129

Mr. Allds moved that all further proceedings, under the call of the House, be suspended.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker announced the special order, being the Senate bill (No. 1181) entitled "An act to amend chapter 112 of the Laws of 1896, entitled 'An act in relation to the traffic in liquors, and for the taxation and regulation of the same, and to provide for local option, constituting chapter 29 of the general laws,' as amended by chapter 312 of the Laws of 1897, by chapter 167 of the Laws of 1898, by chapters 398 and 434 of the Laws of 1899, and by chapter 257 and 367 of the Laws of 1900." (Rec. No. 334.)

Debate was had thereon, when

Mr. Allds moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Said bill was read the second time.

On motion of Mr. Allds, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{	AYES	82	}
{	NOES	65	}

Those who voted in the affirmative, were

Ahern	Cotton	Griffith	O'Brien	Seymour
Allds	Coughtry	Hallock	O'Malley	Sherer
Allston	Darrison	Hammond	Orr	Smith A R
Apgar	Dickinson	Hanford	Phillips	Smith J L
Axtell	Doughty	Hatch	Phipps	Smith J T
Babcock	Dusinbery	Hitchcock	Plank	Smith S W
Baker	Ellis	Irwin	Platt	Smith W H
Bedell	Everett	Kelsey	Price	Snyder
Bell	Fancher	Knipp	Remsen	Stevens
Bennet	Fish	Landon	Reynolds	Swift
Brill	Fisher	Leggett	Roberts	Traub
Bryan	Fordyce	Lewis M E	Robinson	Treat
Burnett	Fowler	Lewis T D	Rodenbeck	Vacheron
Cadin	Galbraith	Mansfield	Rogers	Weekes
Conger	Gardiner R	Morgan	Ross	Wilson H
Coons	Gardner C J	Nye	Salyerds	Speaker
Costello	Graeff			

Those who voted in the negative, were

Adams	Dempsey	Hawkins	McInerney	Rierdon
Adler	Dickey	Henry	McKeown	Ruehl
Baum	Dooling	Holsten	McMillan	Sanders
Blackwell	Duross	Honeck	McQuade	Scanlon
Bradley	Egan	Hyman	Meister	Schneider
Brooks	Fitzgerald	Juengst	O'Connell	Smith J E
Bruckner	Fitzpatrick	Kaiser	Patton	Sullivan
Burns	Frisbie	Keenan	Poth	Thorn
Cook	Geoghan	Kelly	Prince	Ulmann
Cooley	Halpin	Lynn	Rainey	Van Name
Daly	Harburger	Mains	Reilley	Waite
Davis	Harris	Marson	Richter	Walrath
Delaney	Hasenflug	Mathews	Rider	Weber

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1310) entitled "An act to amend chapter 390 of the Laws of 1896, entitled 'An act to provide for the reimbursement of the expenses and disbursements paid and incurred by the several justices of the Supreme Court, who are designated as jus-

tices of the Appellate Division of that court,' relative to the payment of such expenses." (Rec. No. 469.)

Said bill was read the second time.

On motion of Mr. Hammond, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 109 }
{ NOES 16 }

Those who voted in the affirmative, were

Adams	Dickinson	Harris	McQuade	Scanlon
Ahern	Doughty	Hatch	Morgan	Schneider
Allds	Dusinbery	Hawkins	Nye	Seymour
Allston	Egan	Henry	O'Brien	Sherer
Apgar	Ellis	Hitchcock	O'Malley	Smith A R
Axtell	Everett	Irwin	Orr	Smith J E
Babcock	Fancher	Juengst	Patton	Smith J L
Baker	Fish	Kaiser	Phillips	Smith J T
Bedell	Fisher	Keenan	Plank	Smith S W
Brill	Fitzgerald	Kelly	Platt	Smith W H
Brooks	Fitzpatrick	Knipp	Price	Snyder
Burnett	Fordyce	Landon	Rainey	Sullivan
Cadin	Fowler	Leggett	Remsen	Swift
Conger	Galbraith	Lewis M E	Reynolds	Thorn
Cooley	Gardiner R	Lewis T D	Rider	Treat
Coons	Gardner C J	Lynn	Rierdon	Ulmann
Costello	Griffith	Mains	Roberts	Vacheron
Coughtry	Hallock	Mansfield	Robinson	Waite
Daly	Halpin	Marson	Rodenbeck	Walrath
Darrison	Hammond	McInerney	Ross	Weber
Davis	Hanford	McKeown	Salyerds	Wilson H
DeGraw	Harburger	McMillan	Sanders	

Those who voted in the negative, were

Baum	Lempsey	Hasenflug	Mathews	Rogers
Bradley	Dickey	Holsten	Meister	Stevens
Bryan	Frisbie	Kelsey	Phipps	Van Name
Cook				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1417) entitled "An act to amend section 180 of the Tax Law by reducing the organization tax." (Rec. No. 427.)

Said bill was read the second time.

On motion of Mr. M. E. Lewis, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 104 }
{ NOES 00 }

Those who voted in the affirmative were,

Adams	Davis	Hallock	McInerney	Salyerds
Adler	DeGraw	Halpin	McMillan	Sanders
Ahern	Delaney	Hammond	McQuade	Schneider
Allston	Dempsey	Harburger	Meister	Sherer
Axtell	Dickey	Hasenflug	Nye	Smith A R
Babcock	Dickinson	Hatch	O'Brien	Smith J L
Baum	Doughty	Hitchcock	O'Malley	Smith J T
Bedell	Duross	Honeck	Orr	Smith W H
Bennet	Egan	Hyman	Phillips	Snyder
Blackwell	Ellis	Irwin	Phipps	Sullivan
Brill	Everett	Kaiser	Platt	Swift
Bruckner	Fish	Keenan	Poth	Thorn
Bryan	Fitzgerald	Kelly	Prince	Traub
Burns	Fitzpatrick	Kelsey	Rainey	Ulmann
Cadin	Fordyce	Landon	Remsen	Van Name
Cook	Fowler	Leggett	Reynolds	Waite
Coons	Galbraith	Lewis T D	Richter	Walrath
Cotton	Gardiner R	Lynn	Rierdon	Weber
Coughtry	Gardner C J	Mansfield	Roberts	Weekes
Daly	Geoghan	Marson	Rodenbeck	Wilson W H
Darrison	Graeff	Mathews	Ross	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 606) entitled "An act to extend the time of the New York State Title Guarantee Company to pay in the remaining two-thirds of its capital stock." (Rec. No. 185.)

Said bill was read the second time.

On motion of Mr. H. Wilson, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 110 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Darrison	Hasenflug	Morgan	Sanders
Adler	Davis	Hatch	Nye	Schneider
Ahern	Dempsey	Henry	O'Connell	Seymour
Alds	Dickey	Hitchcock	O'Malley	Sherer
Allston	Dooling	Holsten	Orr	Smith J E
Apgar	Duross	Hyman	Patton	Smith J L
Axtell	Egan	Irwin	Phillips	Smith J E
Baker	Everett	Juengst	Phipps	Smith W H
Baum	Fancher	Kaiser	Platt	Snyder
Bedell	Fisher	Keenan	Poth	Sullivan
Bell	Fitzgerald	Kelly	Prince	Swarts
Blackwell	Fordyce	Kelsey	Rainey	Swift
Bradley	Fowler	Knipp	Reilly	Traub
Brooks	Galbraith	Landon	Reynolds	Treat
Bryan	Gardiner R	Lewis M E	Richter	Ulmann
Burns	Geoghan	Lewis T D	Rider	Vacheron
Conger	Graeff	Mains	Rierdon	Van Name
Cook	Griffith	Mansfield	Roberts	Waite
Cooley	Hallock	Marson	Robinson	Walrath
Costello	Halpin	McInerney	Rodenbeck	Weber
Cotton	Hanford	McMillan	Ross	Weekes
Coughtry	Harburger	Meister	Salverds	Wilson H

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1369) entitled "An act to amend section 55 of the Insurance Law in relation to insurance upon the lives of minors." (Rec. No. 433.)

Said bill was read the second time.

On motion of Mr. Coughtry, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 98 }
 { NOES 00 }

Those who voted in the affirmative were,

Adams	DeGraw	Halpin	McKeown	Ross
Adler	Delaney	Hammond	McMillan	Salyerds
Allston	Dickey	Harburger	Morgan	Scanlon
Allston	Dooling	Hasenflug	Nye	Seymour
Apgar	Doughty	Hawkins	O'Brien	Smith A R
Axtell	Dusinbery	Henry	O'Malley	Smith J E
Baker	Egan	Holsten	Patton	Smith J T
Baum	Ellis	Honeck	Phillips	Smith S W
Bell	Everett	Irwin	Phipps	Snyder
Bradley	Fancher	Juengst	Platt	Sullivan
Blackwell	Fisher	Kaiser	Price	Swarts
Brooks	Fitzgerald	Keenan	Prince	Thorn
Bruckner	Fitzpatrick	Kelly	Reilley	Traub
Burnett	Fordyce	Kelsey	Remsen	Ulmann
Burns	Fowler	Knipp	Richter	Vacheron
Conger	Galbraith	Leggett	Rierdon	Waite
Cooley	Gardiner R	Lewis T D	Roberts	Walrath
Costello	Geoghan	Mains	Rodenbeck	Weekes
Coughtry	Graeff	Mansfield	Rogers	Wilson H
Daly	Griffith	Mathews		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1527) entitled "An act to amend chapter 559 of the Laws of 1895, entitled 'An act relating to membership corporations, constituting chapter 43 of the general laws,' by adding a new section to article 7 thereof relating to Christian associations, to be known as section 93 of said chapter." (Rec. No. 468.)

Said bill was read the second time.

On motion of Mr. Hammond, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{	AYES	108	}
{	NOES	00	}

Those who voted in the affirmative were,

Adams	Dickinson	Hyman	O'Connell	Sherer
Adler	Dooling	Juengst	O'Malley	Smith A R
Ahern	Duross	Kaiser	Orr	Smith J E
Allds	Dusinbery	Keenan	Patton	Smith J T
Allston	Ellis	Kelly	Phipps	Smith S W
Axtell	Everett	Kelsey	Plank	Smith W H
Babcock	Fancher	Leggett	Poth	Snyder
Baum	Fisher	Landon	Price	Stevens
Bedell	Fitzgerald	Lewis M E	Rainey	Sullivan
Bennet	Fitzpatrick	Lewis T D	Reilley	Swarts
Blackwell	Fowler	Lynn	Reynolds	Swift
Brooks	Galbraith	Mains	Richter	Thorn
Bruckner	Gardner C J	Mansfield	Rider	Traub
Burnett	Geoghan	Marson	Rierdon	Ulmann
Cadin	Griffith	Mathews	Robinson	Vacheron
Cooley	Halpin	McInerney	Rodenbeck	Van Name
Costello	Hanford	McKeown	Ross	Waite
Coughtry	Harburger	McMillan	Salyerds	Walrath

Daly	Hasenflug	McQuade	Sanders	Weber
Davis	Hatch	Meister	Scanlon	Weekes
DeGraw	Henry	Morgan	Schneider	Wilson H
Dempsey	Holsten	Nye		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1224) entitled "An act making an appropriation for the New York State Hospital for the Care of Crippled and Deformed Children." (Rec. No. 325.)

Said bill was read the second time.

On motion of Mr. Darrison, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and on the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 103 }
{ NOES 00 }

Those who voted in the affirmative were,

Adams	Dickey	Hawkins	McQuade	Sanders
Adler	Dooling	Hitchcock	Morgan	Schneider
Ahern	Duross	Holsten	Nye	Sherer
Allds	Egan	Honeck	O'Connell	Smith A R
Apgar	Everett	Hyman	O'Malley	Smith J L
Babcock	Fish	Irwin	Patton	Smith J T
Baker	Fisher	Juengst	Phillips	Smith S W
Bedell	Fitzpatrick	Kaiser	Plank	Smith W E
Bell	Fordyce	Keenan	Platt	Stevens
Blackwell	Fowler	Kelly	Price	Sullivan
Bradley	Geoghan	Kelsey	Prince	Swift
Brooks	Gardiner R	Knipp	Reilley	Thorn
Burnett	Gardner C J	Landon	Reynolds	Treat
Cadin	Graeff	Lewis M E	Richter	Ulmann
Cook	Hallock	Lewis T D	Rider	Vacheron
Coons	Halpin	Lynn	Roberts	Waite

Cotton	Hammond	Mains	Robinson	Walrath
Daly	Hanford	Marson	Rogers	Weber
Davis	Harburger	Mathews	Ross	Weekes
Delaney	Hasenflug	McMillan	Salyerds	Wilson H
Dempsey	Hatch	McKeown		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1100) entitled "An act to amend section 2 of chapter 378 of the Laws of 1883, entitled 'An act in relation to receivers of corporations.'" (Rec. No. 450.)

Said bill was read the second time.

On motion of Mr. Rogers, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 103 }
{ NOES 2 }

Those who voted in the affirmative were,

Adams	Darrison	Hallock	McInerney	Ruehl
Adler	DeGraw	Halpin	McMillan	Salyerds
Ahern	Delaney	Hanford	McQuade	Sanders
Allds	Dempsey	Harburger	Meister	Scanlon
Allston	Dickinson	Hasenflug	Morgan	Seymour
Apgar	Dooling	Hatch	O'Brien	Sherer
Axtell	Duross	Henry	O'Connell	Smith J E
Baker	Egan	Hitchcock	Orr	Smith J L
Baum	Ellis	Honeck	Patton	Smith S W
Bradley	Everett	Irwin	Phipps	Smith W H
Brooks	Fancher	Juengst	Platt	Stevens
Bryan	Fisher	Kaiser	Poth	Sullivan
Burnett	Fitzgerald	Keenan	Price	Swift
Cadin	Fitzpatrick	Kelly	Rainey	Thorn
Conger	Fowler	Knipp	Remsen	Treat

Cook	Frisbie	Landon	Reynolds	Ulmann
Cooley	Gardiner R	Leggett	Rider	Walrath
Coons	Gardner C J	Lewis T D	Robinson	Weber
Costello	Geoghan	Lynn	Rodenbeck	Weekes
Cotton	Graeff	Mansfield	Rogers	Wilson H
Coughtry	Griffith	Mathews		

Those who voted in the negative were,

Kelsey Van Name

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1500) entitled "An act making an appropriation for paying a portion of the cost of constructing an extension of what is known as the State hospital sewer, from its present terminus on the east bank of the Chenango river, in the city of Binghamton, across said river and down the Susquehanna river, to a point near the western limits of said city of Binghamton." (Rec. No. 463.)

Said bill was read the second time.

On motion of Mr. Rogers, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 101 }
{ NOES 00 }

Those who voted in the affirmative were,

Adler	Coughtry	Graeff	Mathews	Ruehl
Adams	Darrison	Hallock	McKeown	Sanders
Ahern	Davis	Halpin	McQuade	Scanlon
Allds	DeGraw	Hanford	Morgan	Seymour
Apgar	Delaney	Harburger	O'Brien	Sherer
Axtell	Dickey	Harris	O'Malley	Smith A R
Babcock	Dickinson	Hatch	Patton	Smith J L

Baker	Dooling	Henry	Phillips	Smith J T
Bedell	Doughty	Hitchcock	Plank	Smith W H
Bennet	Duross	Honeck	Poth	Snyder
Bradley	Egan	Hyman	Price	Sullivan
Brooks	Ellis	Juengst	Rainey	Swarts
Bruckner	Fancher	Kaiser	Remsen	Thorn
Bryan	Fish	Keenan	Reynolds	Traub
Burns	Fitzgerald	Kelly	Rider	Treat
Cadin	Fitzpatrick	Kelsey	Rierdon	Vacheron
Conger	Fowler	Landon	Roberts	Van Name
Cooley	Frisbie	Lewis M E	Robinson	Walrath
Coons	Gardiner R	Lewis T D	Rogers	Weekes
Costello	Gardner C J	Mains	Ross	Wilson H
Cotton				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 530) entitled "An act to amend sections 1215 and 1216 of the Code of Civil Procedure with respect to the rendering of judgments." (Rec. No. 337.)

Said bill was read the second time.

On motion of Mr. Mansfield, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 101 }
 { NOES 00 }

Those who voted in the affirmative were,

Adams	Darrison	Hammond	McMillan	Scanlon
Adler	DeGraw	Hanford	Meister	Schneider
Allds	Delaney	Hasenflug	Morgan	Sherer
Allston	Dickey	Hawkins	O'Brien	Smith A R
Axtell	Dickinson	Henry	O'Malley	Smith J L
Babcock	Doughty	Hitchcock	Orr	Smith J T

Burns	Duross	Honeck	Phillips	Smith S W
Bedell	Egan	Irwin	Phipps	Smith W H
Bell	Ellis	Juengst	Poth	Snyder
Blackwell	Fancher	Kaiser	Price	Sullivan
Bradley	Frisbie	Keenan	Rainey	Swarts
Brooks	Fitzgerald	Kelly	Reilley	Swift
Bruckner	Fordyce	Kelsey	Reynolds	Traub
Burnett	Fowler	Knipp	Richter	Treat
Burns	Frisbie	Leggett	Rierdon	Vacheron
Cadin	Gardiner R	Lewis T D	Roberts	Van Name
Cook	Geoghan	Lynn	Rodenbeck	Waite
Cooley	Graeff	Mansfield	Ross	Weber
Coons	Griffith	Mathews	Ruehl	Weekes
Cotton	Hallock	McKeown	Sanders	Wilson H
Coughtry				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1194) entitled "An act authorizing the Niskayuna Power Company to construct and maintain a dam across the Mohawk river between the towns of Clifton Park and Niskayuna." (Rec. No. 405.)

Said bill was read the second time.

On motion of Mr. Mansfield, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 111 }
 { NOES 15 }

Those who voted in the affirmative were,

Adams	Costello	Hallock	McQuade	Scanlon
Adler	Coughtry	Hammond	Morgan	Schneider
Ahern	Darrison	Hanford	Nye	Seymour
Allds	Davis	Harris	O'Brien	Sherer

Allston	DeGraw	Hatch	O'Malley	Smith A R
Apgar	Dickey	Henry	Orr	Smith J L
Axtell	Dickinson	Hitchcock	Patton	Smith J T
Babcock	Doughty	Irwin	Phillips	Smith S W
Baker	Dusinbery	Juengst	Phipps	Smith W H
Bedell	Ellis	Kaiser	Plank	Snyder
Bell	Everett	Kelly	Platt	Stevens
Bennet	Fancher	Kelsey	Price	Swarts
Blackwell	Fish	Knipp	Rainey	Swift
Brill	Fisher	Landon	Remsen	Thorn
Brooks	Fordyce	Leggett	Reynolds	Traub
Bryan	Fowler	Lewis M E	Roberts	Treat
Burnett	Galbraith	Lewis T D	Robinson	Vacheron
Burns	Gardiner R	Mains	Rodenbeck	Waite
Cadin	Gardner C J	Mansfield	Rogers	Walrath
Conger	Geoghan	Marson	Ross	Weber
Cook	Graeff	McKeown	Ruehl	Weekes
Cooley	Griffith	McMillan	Saljerds	Wilson H
Coons				

Those who voted in the negative were,

Baum	Duross	Fitzpatrick	Honeck	Meister
Daly	Egan	Frisbie	Hyman	Richter
Dempsey	Fitzgerald	Halpin	Mathews	Van Name

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1409) entitled "An act to authorize the comptroller of this State to hear and determine the several applications of David C. Leech and Minnie A. Lord for the cancellation of the sale of 1890 for the taxes of 1860 of a tract of land in the town of Schroon, county of Essex, State of New York, described as ' Rogers (Platt) and company's road-patent lot 1; subdivision 11 thereof, containing 94 acres more or less ' and conveyed to the people of the State of New York." (Rec. No. 421.)

Said bill was read the second time.

On motion of Mr. Graef, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 104 }
 { NOES 00 }

Those who voted in the affirmative were,

Adler	Davis	Hasenflug	McInerney	Ross
Apgar	Delaney	Henry	McMillan	Salyerds
Ahern	Dickey	Hawkins	McQuade	Scanlon
Allds	Dooling	Hatch	Meister	Seymour
Allston	Duross	Hitchcock	Nye	Sherer
Apgar	Egan	Holsten	O'Brien	Smith J E
Babcock	Ellis	Hyman	O'Connell	Smith J L
Baker	Fancher	Irwin	Orr	Smith S W
Baum	Fish	Juengst	Phillips	Smith W H
Bell	Fisher	Kaiser	Phipps	Stevens
Bennet	Fitzgerald	Keenan	Plank	Sullivan
Bradley	Fordyce	Kelly	Poth	Swift
Brooks	Frisbie	Kelsey	Price	Thorn
Bryan	Galbraith	Knipp	Prince	Treat
Burnett	Gardner C J	Landon	Reilly	Ulmann
Cadin	Geoghan	Lewis M E	Remsen	Vacheron
Cook	Griffith	Lewis T D	Reynolds	Waite
Coons	Hallock	Lynn	Rider	Walrath
Costello	Hammond	Mains	Roberts	Weekes
Cotton	Hanford	Mansfield	Robinson	Wilson H
Daly	Harburger	Mathews	Rogers	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1334) entitled "An act to provide for the taxation and payment of the fees and expenses of the commissioners of estimate and assessment heretofore appointed by the Supreme Court in the proceedings in the city of New York for the extension and opening of Manhattan street in said city." (Rec. No. 377.)

Said bill was read the second time.

On motion of Mr. Bennet, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 98 }
{ NOES 00 }

Those who voted in the affirmative were,

Adams	Darrison	Hanford	Meister	Ross
Adler	DeGraw	Harris	Morgan	Ruehl
Ahern	Delaney	Hasenflug	O'Brien	Sanders
Allds	Dempsey	Hatch	O'Connell	Schneider
Apgar	Dickinson	Henry	Orr	Sberer
Axtell	Doughty	Hitchcock	Phillips	Smith J E
Baker	Duross	Honeck	Plank	Smith J T
Baum	Egan	Juengst	Platt	Smith S W
Bell	Everett	Kaiser	Poth	Stevens
Bennet	Fancher	Keenan	Price	Sullivan
Bradley	Fisher	Kelly	Rainey	Swift
Brill	Fitzpatrick	Kelsey	Reilley	Thorn
Bruckner	Fordyce	Landon	Remsen	Treat
Burnett	Frisbie	Leggett	Reynolds	Ulmann
Cadin	Galbraith	Lewis M E	Richter	Van Name
Conger	Gardiner R	Lewis T D	Rider	Waite
Cooley	Geoghan	Mains	Rierdon	Walrath
Coons	Graeff	Marson	Roberts	Weekes
Cotton	Hallock	McInerney	Rodenbeck	Wilson H
Daly	Hammond	McMillan		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1113) entitled "An act to enable owners of property liable to be assessed for a local improvement to review and correct the fixing of the district of assessment therefor." (Rec. No. 282.)

Said bill was read the second time.

On motion of Mr. Mains, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 107 }
 { NOES 00 }

Those who voted in the affirmative were,

Adams	Daly	Hasenflug	McQuade	Salyerds
Allds	Darrison	Hatch	Morgan	Sanders
Adler	DeGraw	Henry	Nye	Schneider
Ahern	Delaney	Hitchcock	O'Brien	Seymour
Allston	Dickey	Honeck	O'Connell	Sherer
Axtell	Dickinson	Hyman	Orr	Smith A R
Babcock	Dooling	Juengst	Phillips	Smith J E
Baum	Duross	Kaiser	Phipps	Smith J T
Bedell	Doughty	Keenan	Plank	Smith W H
Bell	Ellis	Kelly	Poth	Snyder
Bennet	Fancher	Kelsey	Price	Sullivan
Bradley	Fish	Knipp	Reilley	Swift
Brill	Fitzgerald	Leggett	Reilley	Thorn
Brooks	Fitzpatrick	Lewis M E	Remsen	Traub
Bruckner	Fowler	Lynn	Reynolds	Ulmann
Burnett	Galbraith	Mains	Richter	Vacheron
Cadin	Gardner C J	Mansfield	Rierdon	Van Name
Conger	Geoghan	Marson	Robinson	Waite
Cook	Griffith	McInerney	Rodenbeck	Weber
Cooley	Halpin	McKeown	Ross	Weekes
Costello	Hanford	McMillan	Ruehl	Wilson H
Cotton	Harburger			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1359) entitled "An act to amend the Stock Corporations Law, in relation to the issue of debenture bond-stock." (Rec. No. 417.)

Said bill was read the second time.

On motion of Mr. Bennet, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
 { NOES 51 }

Those who voted in the affirmative, were

Adams	Coons	Hallock	McMillan	Ruehl
Ahern	Costello	Hanford	Morgan	Salyerds
Alds	Coughtry	Harris	Nye	Scanlon
Allston	Darrison	Holsten	O'Brien	Schneider
Apgar	Dickinson	Irwin	O'Malley	Seymour
Axtell	Doughty	Kelly	Orr	Sherer
Babcock	Duross	Kelsey	Phillips	Smith A R
Baker	Dusinbery	Knipp	Phipps	Smith J L
Bedell	Ellis	Landon	Platt	Smith S W
Bell	Fancher	Leggett	Price	Smith W H
Bennet	Fisher	Lewis M E	Remsen	Snyder
Blackwell	Fordyce	Lewis T D	Reynolds	Stevens
Brill	Fowler	Lynn	Robinson	Swift
Brooks	Galbraith	Mains	Rodenbeck	Traub
Cadin	Gardner C J	Mansfield	Rogers	Vacheron
Cook	Griffith	Marson	Ross	

Those who voted in the negative were,

Adler	Dempsey	Hasenflug	McKeown	Rierdon
Baum	Dooling	Hawkins	Meister	Roberts
Bradley	Everett	Henry	O'Connell	Sanders
Bruckner	Fish	Hitchcock	Patton	Smith J E
Bryan	Fitzpatrick	Honeck	Poth	Smith J T
Burnett	Frisbie	Juengst	Prince	Sullivan
Burns	Geoghan	Kaiser	Rainey	Treat
Conger	Halpin	Keenan	Reilley	Ulmann
Cotton	Hammond	Mathews	Richter	Waite
Daly	Harburger	McInerney	Rider	Wilson H
Davis				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 974) entitled "An act to amend sections 150 and 582 of the Code of Civil Procedure so as to enable all persons arrested or attached and held to bail on civil process, to deposit money in lieu of bail." (Rec. No: 388.)

Said bill was read the second time.

On motion of Mr. Weekes, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 99 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Coons	Harburger	McKeown	Schneider
Adler	Cotton	Harris	McQuade	Sherer
Ahern	Daly	Hasenflug	Morgan	Smith A R
Allds	Davis	Hatch	O'Brien	Smith J L
Apgar	Delaney	Hawkins	O'Malley	Smith J T
Axtell	Dickinson	Hitchcock	Orr	Wilson W H
Baker	Doughty	Holsten	Phillips	Snyder
Baum	Dusinbery	Honeck	Plank	Stevens
Brill	Everett	Hyman	Poth	Sullivan
Bennet	Fish	Irwin	Patton	Swift
Blackwell	Fitzgerald	Kaiser	Reilley	Thorn
Bradley	Fitzpatrick	Keenan	Remsen	Treat
Bell	Fowler	Kelly	Richter	Ulmann
Brooks	Galbraith	Kelsey	Rider	Vacheron
Bruckner	Gardner C J	Landon	Roberts	Van Name
Burnett	Geoghan	Leggett	Rodenbeck	Walrath
Burns	Griffith	Lewis T D	Rogers	Weber
Cadin	Hallock	Mains	Ross	Weekes
Conger	Halpin	Marson	Salyerds	Wilson H
Cooley	Hammond	McInerney	Scanlon	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1546) entitled "An act to amend the Banking Law by providing that the expenses incurred and services performed on account of any foreign bank or banking corporation, and the examination thereof or if its agencies, shall be defrayed by said foreign bank or banking corporation or its agencies located in this State." (Rec. No. 474.)

Said bill was read the second time.

On motion of Mr. DeGraw, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 97 }
 { NOES 00 }

Those who voted in the affirmative, were

Adams	Davis	Hasenflug	Meister	Schneider
Ahern	Delaney	Hatch	Morgan	Seymour
Allds	Dempsey	Henry	O'Brien	Sherer
Allston	Dickinson	Hitchcock	O'Connell	Smith J E
Apgar	Doughty	Holsten	Orr	Smith J L
Babcock	Dusinbery	Hyman	Phillips	Smith S W
Baker	Egan	Irwin	Phipps	Smith W H
Baum	Everett	Juengst	Platt	Stevens
Bell	Fancher	Kaiser	Poth	Sullivan
Bennet	Fisher	Keenan	Prince	Swift
Bradley	Fitzpatrick	Kelly	Rainey	Thorn
Brooks	Fordyce	Kelsey	Remsen	Treat
Bruckner	Frisbie	Knipp	Richter	Ulmann
Burnett	Galbraith	Leggett	Rider	Vacheron
Burns	Gardner C J	Lewis T D	Roberts	Waite
Conger	Graeff	Lynn	Rodenbeck	Walrath
Cooley	Hallock	Mansfield	Rogers	Weber
Coons	Halpin	Mathews	Ruehl	Weekes
Cotton	Hanford	McKeown	Sanders	Wilson W H
Daly	Harris	McMillan		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1536) entitled "An act to amend chapter 614 of the Laws of 1887, being an act to establish a police pension fund for the city of Rochester." (Rec. No. 471.)

Said bill was read the second time.

On motion of Mr. R. Gardiner, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{	AYES	99	}
{	NOES	00	}

Those who voted in the affirmative, were

Adams	Daly	Hanford	McMillan	Sanders
Adler	Davis	Harburger	Meister	Schneider
Ahern	Delaney	Hasenflug	Morgan	Seymour
Allds	Dempsey	Hawkins	O'Brien	Smith A R
Apgar	Dickey	Henry	O'Connell	Smith J E
Babcock	Dooling	Hitchcock	Orr	Smith J T
Baker	Doughty	Honeck	Patton	Smith W H
Bedell	Dusinbery	Hyman	Phillips	Snyder
Bell	Egan	Juengst	Phipps	Sullivan
Bennet	Ellis	Kaiser	Plank	Swarts
Blackwell	Fancher	Keenan	Poth	Thorn
Brill	Fisher	Kelly	Price	Traub
Brooks	Fitzgerald	Knipp	Rainey	Treat
Bryan	Fordyce	Landon	Reiley	Vacheron
Burnett	Fowler	Lewis M E	Reynolds	Van Name
Cadin	Galbraith	Lewis T D	Richter	Waite
Cook	Gardner C J	Mains	Rierdon	Weber
Coons	Geoghan	Mansfield	Robinson	Weekes
Costello	Griffith	Mathews	Ross	Wilson H
Coughtry	Halpin	McInerney	Salyerds	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1529) entitled "An act to amend subsection 5 of section 34 of the University Law on powers of trustees of institutions in the university." (Rec. No. 467.)

Said bill was read the second time.

On motion of Mr. Hammond, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{	AYES	91	}
{	NOES	00	}

Those who voted in the affirmative, were

Adams	Cotton	Hallock	McInerney	Ruehl
Adler	Coughtry	Hammond	McKeown	Sanders
Allds	Darrison	Harburger	McInerney	Schneider
Allston	Davis	Hasenflug	Morgan	Sherer
Apgar	DeGraw	Hawkins	Nye	Smith J E
Axtell	Dempsey	Hitchcock	O'Connell	Smith J L
Baker	Dickinson	Holsten	O'Malley	Smith S W
Bedell	Doughty	Hyman	Orr	Smith W H
Bell	Puross	Juengst	Phillips	Stevens
Brooks	Egan	Keenan	Platt	Sullivan
Bradley	Everett	Kelly	Price	Swift
Brill	Fish	Knipp	Rainey	Thorn
Brooks	Fitzgerald	Landon	Reilley	Treat
Bryan	Fordyce	Lewis M E	Reynolds	Vacheron
Burnett	Frisbie	Lewis T D	Rider	Van Name
Cadin	Gardiner R	Mains	Roberts	Walrath
Conger	Gardner C J	Mansfield	Rodenbeck	Weber
Cooley	Graeff	Marson	Ross	Wilson H
Coons				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1485) entitled "An act authorizing the board of estimate and apportionment of the city of New York to audit and allow, and also authorizing the comptroller of the city of New York to pay certain persons compensation for services actually rendered to the city of New York in the department of public charities in the year 1899, pending the preparation of municipal civil service eligible list for the position of apothecaries and nurses in said department." (Rec. No. 470.)

Said bill was read the second time.

On motion of Mr. Apgar, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 97 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Daly	Harburger	McKeown	Ross
Adler	Davis	Harris	McQuade	Salyerds
Ahern	Delaney	Hatch	Morgan	Scanlon
Allds	Dempsey	Hawkins	Nye	Seymour
Apgar	Dickinson	Hitchcock	O'Connell	Smith A R
Axtell	Dooling	Holsten	O'Malley	Smith J L
Baker	Duross	Honeck	Patton	Smith J T
Baum	Egan	Hyman	Phillips	Smith S W
Bell	Everett	Juengst	Phipps	Snyder
Bennet	Fish	Kaiser	Platt	Stevens
Bradley	Fisher	Keenan	Price	Swarts
Brill	Fitzgerald	Kelly	Prince	Thorn
Brooks	Fordyce	Kelsey	Reilly	Treat
Bruckner	Frisbie	Landon	Remsen	Ulmann

Burnett	Gardiner R	Leggett	Richter	Vacheron
Burns	Geoghan	Lewis T D	Rider	Waite
Conger	Griffith	Lynn	Roberts	Walrath
Cooley	Hallock	Mathews	Rodenbeck	Weekes
Coons	Hammond	McInerney	Rogers	Wilson H
Cotton	Hanford			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr Rierdon stated that Mr. Delaney was ill at his hotel, and that if present he would have voted against the Stranahan excise bill.

A message from the Governor, by the hand of his Secretary, was received and read in the words following.

STATE OF NEW YORK—EXECUTIVE CHAMBER,
ALBANY, April 18, 1901.

To the Assembly:

Assembly bill No. 1544, entitled "An act to amend the Election Law, relative to the consolidation of registration and enrollment books," is herewith returned without approval.

An examination of this bill does not convince me that it is desirable. The Election Law has been carefully framed to provide proper safeguards for carrying out the will of the voter and for securing proper registration and enrollment. Only such amendments should be made as will protect the right of suffrage and make more strict the provisions against illegal and fraudulent voting. There has been no such objection raised to the provisions of the present law relating to registration and enrollment as would warrant the amendment sought by this bill, and for the reasons above stated, I do not think the bill should receive Executive approval.

B. B. ODELL.

On motion of Mr. H. Wilson, said bill, together with said message, was laid upon the table.

The Senate returned the bill (No. 1859, Senate reprint No. 1447) entitled "An act to amend the Forest, Fish and Game Law, empowering the Forest, Fish and Game Commission to name places of refuge for game" (Int. No. 1144), with a message that they have concurred in the passage of the same with the following amendment:

Strike out all after the enacting clause and insert the following:

Section 1. Article eight of chapter twenty of the laws of nineteen hundred, entitled "An act for the protection of the forests, fish and game of the state, constituting chapter thirty-one of the general laws," is hereby amended by adding thereto a new section to be known as section one hundred and fifty-seven-a and to read as follows:

§ 157-a. The commission may establish refuge places for game. —The commission may by resolution, from time to time, set aside parts of the forest preserve, each not exceeding ten thousand acres in extent, and not exceeding in the aggregate one twenty-fifth of the preserve, as places of refuge and propagation for animals and birds. The boundaries of such places shall be stated and shall consist of water, highways, railroads or townships, tract or lot lines. A certified copy of such resolution shall be mailed to the county clerk of the county and also to the town clerk of the town in which such game refuge or a part thereof is situated. A copy shall also be filed with the secretary of state who shall publish the same with the session laws. Cloth notices at least one foot square containing copies of such resolution, shall be posted on trees or posts not more than one-half mile apart, along the border of such places and shall be replaced at least once in every two years. Disturbing game or hunting on any such refuge place is prohibited and any person found therein with firearms, traps snares, nets or other devices for taking game, shall be deemed to have violated this section. Whoever shall violate this section shall be guilty of misdemeanor and in addition thereto shall be liable to a penalty of sixty dollars for each violation.

§ 2. This act shall take effect immediately.

Mr. Axtel moved to concur in the Senate amendment.

Mr. Speaker put the question whether the House would concur in said amendment, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 101 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Davis	Hasenflug	McMillan	Ruehl
Ahern	DeGraw	Hatch	Meister	Salyerds
Allds	Dempsey	Henry	Morgan	Scanlon

Apgar	Dickey	Hitchcock	O'Brien	Schneider
Axtell	Dooling	Holsten	O'Connell	Sherer
Babcock	Duross	Hyman	Orr	Smith A R
Baum	Egan	Irwin	Patton	Smith J E
Bedell	Everett	Juengst	Phipps	Smith J T
Bell	Fish	Kaiser	Plank	Smith W H
Bennet	Fisher	Keenan	Poth	Stevens
Bradley	Fitzpatrick	Kelsey	Price	Sullivan
Brill	Fordyce	Knipp	Rainey	Swift
Brooks	Frisbie	Landon	Reilley	Thorn
Bruckner	Gardiner R	Leggett	Remsen	Traub
Burnett	Gardner C J	Lewis T D	Reynolds	Ulmann
Burns	Graeff	Lynn	Rider	Vacheron
Conger	Hallock	Mains	Roberts	Waite
Cook	Hammond	Marson	Robinson	Walrath
Coons	Hanford	Mathews	Rodenbeck	Weekes
Cotton	Harris	McKeown	Ross	Wilson H
Daly				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the bill (No. 2129, Senate reprint No. 1543) entitled "An act to amend the Insurance Law in relation to insolvent corporations and impairment of capital stock" (Int. No. 1348), with a message that they have concurred in the passage of the same with the following amendments:

Page 1, strike out lines 6 to 12, inclusive.

Page 2, strike out lines 1 and 2.

Same page, line 20, after "§" strike out "3" and insert "2."

Page 4, line 1, strike out the word "twenty-one," and insert the word "eighty-two."

Page 5, line 6, after "§" strike out "4" and insert "3."

Mr. Coughtry moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 105 {
 } NOES 00 {

Those who voted in the affirmative, were

Adams	Coughtry	Harburger	McKeown	Ross
Adler	Daly	Harris	McQuade	Salyerds
Ahern	Davis	Hatch	Meister	Scanlon
Allds	Delaney	Hawkins	Morgan	Schneider
Allston	Dempsey	Henry	O'Brien	Seymour
Apgar	Dickinson	Holsten	O'Malley	Sherer
Axtell	Doughty	Honeck	Patton	Smith J E
Babcock	Dusinbery	Irwin	Phillips	Smith J L
Baker	Egan	Juengst	Plank	Smith S W
Bedell	Everett	Kaiser	Platt	Smith W H
Bell	Fancher	Keenan	Poth	Stevens
Bennet	Bedell	Kelly	Price	Swarts
Blackwell	Fitzgerald	Kelsey	Rainey	Swift
Brill	Fordyce	Landon	Reilley	Traub
Brooks	Frisbie	Lewis M E	Remsen	Treat
Bryan	Galbraith	Lewis T D	Reynolds	Ulmann
Burnett	Gardner CJ	Lynn	Richter	Van Name
Conger	Geoghan	Mansfield	Rierdon	Waite
Cook	Griffith	Marson	Roberts	Weber
Coons	Hallock	Mathews	Rodenbeck	Weekes
Costello	Halpin	McInerney	Rogers	Wilson H

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the bill (No. 1304, Senate reprint No. 1495) entitled "An act to amend the Forest, Fish and Game Laws, relative to taking fish with nets through the ice in certain waters of Dutchess county" (Int. No. 1057), with a message that they have concurred in the passage of the same with the following amendments:

Strike out all after the enacting clause and insert the following:

Section 1. Article four of chapter twenty of the laws of nineteen hundred, entitled "An act for the protection of the forests, fish and game of the state, constituting chapter thirty-one of the general laws," is hereby amended by adding thereto a new section to be numbered eighty-six, to read as follows:

§ 86. Dutchess county.—Suckers may be taken with nets through the ice in Crumelbow creek in the town of Hyde Park, Dutchess county.

§ 2. This act shall take effect immediately.

Amend the title to read as follows:

"An act to amend the forest, fish and game laws, relative to taking fish with nets through the ice in certain waters of Dutchess county."

Mr. Landon moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{	AYES	95	}
{	NOES	00	}

Those who voted in the affirmative, were

Adams	Coughtry	Hanford	McInerney	Salyerds
Adler	Darrison	Harburger	McMillan	Sanders
Ahern	DeGraw	Hasenflug	Meister	Scanlon
Allston	Delaney	Hatch	Morgan	Seymour
Axtell	Dickey	Henry	O'Brien	Sherer
Babcock	Dooling	Hitchcock	O'Connell	Smith J E
Baum	Duross	Honeck	Orr	Smith J T
Bedell	Dusinbery	Hyman	Phillips	Smith S W
Bennet	Ellis	Juengst	Plank	Snyder
Blackwell	Fancher	Kaiser	Poth	Stevens
Brill	Fish	Keenan	Price	Swarts
Brooks	Fitzgerald	Kelsey	Rainey	Thorn
Bryan	Fitzpatrick	Knipp	Remsen	Treat
Burns	Fowler	Leggett	Reynolds	Ulmann
Cadin	Galbraith	Lewis M E	Rider	Vacheron
Conger	Gardner C J	Lewis T D	Roberts	Van Name
Cooley	Graeff	Mains	Robinson	Waite
Coons	Griffith	Marson	Rogers	Weekes
Cotton	Halpin	Mathews	Ross	Wilson H

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the bill (No. 2116, Senate reprint No. 1520) entitled "An act to amend chapter 687 of the Laws of 1894, entitled 'An act to regulate the commitment and discharge of certain prisoners, tramps and vagrants in Westchester county, and to prescribe the effect thereof, to provide for the support of

the prisoners in the jail of the county of Westchester and to fix the duties and compensation of the sheriff of said county and of certain employes in the jail of said county,' as amended by chapter 420 of the Laws of 1895 and by chapter 310 of the Laws of 1899, relative to the powers and duties of sheriff" (Int. No. 1481), with a message that they have concurred in the passage of the same with the following amendments:

Page 3, last line, after "exceeding" strike out the word "ten" and insert the word "fifteen."

Page 4, line 4, after "to" strike out "a" and insert "as;" also after "compensation" strike out "and" and insert "to."

Same page, line 6, after "of" strike out "six" and insert "five."

Mr. Cooley moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{	AYES	95	}
{	NOES	00	}

Those who voted in the affirmative, were

Adams	Cotton	Graeff	Mansfield	Ross
Adler	Coughtry	Griffith	Mathews	Ruehl
Ahern	Darrison	Halpin	McInerney	Sanders
Alds	Davis	Hammond	McMillan	Schneider
Allston	DeGraw	Harburger	McQuade	Sherer
Apgar	Dempsey	Harris	Morgan	Smith J E
Babcock	Dickey	Hatch	O'Brien	Smith J L
Baker	Dooling	Hawkins	O'Malley	Smith S W
Baum	Duross	Hitchcock	Orr	Snyder
Bell	Dusinbery	Holsten	Phillips	Stevens
Blackwell	Ellis	Hyman	Plank	Sullivan
Bradley	Everett	Juengst	Poth	Swift
Brooks	Fish	Kaiser	Prince	Traub
Bryan	Fitzgerald	Keenan	Reilley	Treat
Burnett	Fitzpatrick	Kelsey	Reynolds	Vacheron
Burns	Fowler	Knipp	Rider	Van Name
Conger	Galbraith	Leggett	Rierdon	Walrath
Cooley	Gardiner R	Lewis T D	Robinson	Weber
Coons	Gardner C J	Mains	Rodenbeck	Wilson H

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the bill (No. 1865, Senate reprint No. 1521) entitled "An act to amend the Highway Law, in relation to the use of highways by automobiles or motor vehicles and requiring the owners of such vehicles to register with the Secretary of State" (Int. No. 379), with a message that they have concurred in the passage of the same with the following amendment:

Strike out all after the enacting clause and insert the following:

Section 1. Sections one hundred and fifty-five, one hundred and sixty-two and one hundred and sixty-three of chapter five hundred and sixty-eight of the laws of eighteen hundred and ninety, entitled "An act in relation to highways, constituting chapter nineteen of the general laws," are hereby amended to read, respectively, as follows:

§ 155. Steam traction engines on highways.—The owner of a carriage, vehicle or engine, propelled by steam, his servant or agent, shall not allow, permit or use the same to pass over, through or upon any public highway or street, except upon railroad tracks, unless such owners, or their agents or servants, shall send before the same, a person of mature age, at least one-eighth of a mile in advance, who shall notify, and warn persons traveling or using such highway or street, with horses or other domestic animals, of the approach of such carriage, vehicle or engine; and at night such person shall carry a red light, except in incorporated villages and cities. This section shall not apply to any carriage or motor vehicle; propelled by steam, developing less than twenty-five horse power, other than a steam traction engine.

§ 162. Term "carriage" defined.—The term "carriage" as used in this acticle, shall be construed to include stage coaches, wagons, carts, sleighs, sleds, automobiles or motor vehicles, and every other carriage or vehicle used for the transportation of persons and goods, or either of them, and bicycles, tricycles, and all other vehicles propelled by manumotive or pedomotive power, or by electricity, steam, gasoline, or other source of energy.

§ 163. Entitled to free use of highways.—The commissioners, trustees, or other authorities having charge or control of any highway, public street, park, parkway, driveway or place, shall have no power or authority to pass, enforce, or maintain any ordinance, rule or regulation, by which any person using a bicycle or tricycle, an automobile or motor vehicle whether the same

be propelled by steam, gasoline, electricity, or other source of energy, shall be excluded or prohibited from the free use of any highway, public street, avenue, roadway, driveway, park, parkway or place, at any time when the same is open to the free use of persons having and using other pleasure carriages, except upon such driveway, speedway or road as has been or may be expressly set apart by law for the exclusive use of horses and light carriages. The board of supervisors of any county may adopt ordinances regulating the speed of automobiles or motor vehicles on the highways or streets of such county, outside the limits of cities. No ordinance, rule or regulation adopted by the authorities of any municipality in pursuance of this section or of any other law, shall require an automobile or motor vehicle to travel at a slower rate of speed than eight miles per hour, within any city, town or village of the state in the built-up portions thereof, nor at a slower speed than fifteen miles per hour where the same are not built up. An ordinance adopted by a board of supervisors in pursuance of this section, regulating the rate of speed of automobile or motor vehicles on the highways or streets of such county outside of cities shall supersede any such ordinance in such county adopted by the authorities of a town, or village. But nothing herein shall prevent the passage, enforcement or maintenance of any regulation, ordinance or rule, regulating the use of bicycles or tricycles in highways, public streets, driveways, parkways and places, or the regulation of the speed of carriages, vehicles, engines, automobiles or other motor vehicles in public parks and upon parkways and driveways in the city of New York, under the exclusive jurisdiction and control of the department of parks of said city nor prevent any such commissioners, trustees, or other authorities in any other city from regulating the speed of any vehicle herein described in such manner as to limit and determine the proper rate of speed with which such vehicles may be propelled, nor in such manner as to require, direct or prohibit the use of bells, lamps and other appurtenances nor to prohibit the use of any vehicle upon that part of the highway, street or parkway, commonly known as the footpath or sidewalk.

§ 2. Article six of such chapter is hereby amended by adding thereto the following sections:

§ 166. Registration by owners of automobiles.—Every owner of an automobile or motor vehicle shall, within thirty days after the amendment to this section takes effect, file in the office of the secretary of state a statement of his name and address, with a brief description of the character of such vehicle, and shall pay to the secretary of state a registration fee of one dollar. The secretary of state shall issue to such person a cer-

tificate, stating that he has registered in accordance with this section, and shall cause the names of such persons to be entered in alphabetical order in a book kept for such purpose. Every person hereafter acquiring an automobile or motor vehicle shall, within ten days after acquiring the same, register with the secretary of state as required by this section. This section shall not apply to a person manufacturing or dealing in automobiles or motor vehicles, except those for his own private use.

§ 167. Use of highways by automobiles.—No person driving or in charge of an automobile or motor vehicle on any street, avenue, parkway or driveway in this state, shall drive the same at any speed greater than is reasonable and proper, having regard to the traffic and use of the highway, or so as to endanger the life or limb of any person.

§ 168. Brakes and lamps on automobiles.—Every automobile or motor vehicle shall be provided with good and efficient brakes, and shall also be provided with a suitable bell, horn or other signal. Every automobile or similar motor vehicle shall be so constructed as to exhibit during the period from one hour after sunset to one hour before sunrise, two lamps showing white lights visible within a reasonable distance in the direction towards which the automobile is proceeding, and shall also exhibit a red light visible in the reverse direction. The lamps shall be so placed as to be free from obstruction to light from other parts of said automobile or motor vehicle.

§ 169. Stop automobile on signal.—Every person driving an automobile or motor vehicle shall at request or signal by putting up the hand, from a person driving or riding a restive horse or horses, or driving domestic animals, cause the automobile to immediately stop and to remain stationary, so long as may be necessary to allow said horses or domestic animals to pass. This provision shall apply to automobiles going either in the same or in an opposite direction.

§ 169a. Licenses or permits for automobiles.—Any person owning or operating an automobile or motor vehicle, whether the motive power of the same be electricity, steam, gasoline or other source of energy, except such as are used for public hacks, trucks or other vehicles for hire, shall not be required to obtain any license or permit pursuant to the provisions of any local or municipal resolution or ordinance, or the rules or regulations of any commissioners, trustees, supervisors or other authorities having charge or control of any highway, public street, parkway, driveway or place, or pursuant to the provisions of any municipal charter or any other statute, except as herein contained. Every such automobile or motor vehicle shall have the

separate initials of the owner's name placed upon the back thereof in a conspicuous place, the letters forming such initials to be at least three inches in height.

§ 169b. Penalties.—The penalty for violating any of the provisions of section one hundred and sixty-three or sections one hundred and sixty-six to one hundred and sixty-nine-a, both inclusive, relating to automobiles or motor vehicles propelled by electricity, steam, gasoline or other source of energy, shall be not exceeding twenty-five dollars.

§ 3. This act shall take effect immediately.

Mr. Doughty mover to concur in the Senate amendment.

Mr. Speaker put the question whether the House would concur in said amendment, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{	AYES	95	}
{	NOES	00	}

Those who voted in the affirmative, were

Adams	Costello	Hallock	Mansfield	Rodenbeck
Adler	Cotton	Hammond	Mathews	Ross
Ahern	Daly	Harburger	McInerney	Ruehl
Allds	Davis	Hasenflug	McMillan	Sanders
Apgar	DeGraw	Hatch	McQuade	Schneider
Axtell	Dempsey	Henry	Meister	Seymour
Baker	Dickey	Hitchcock	Morgan	Smith A R
Baum	Dooling	Holsten	O'Brien	Smith J L
Bedell	Daross	Honeck	O'Connell	Smith S W
Bennet	Egan	Irwin	O'Malley	Smith W H
Blackwell	Everett	Juengst	Patton	Stevens
Brill	Fish	Kaiser	Phipps	Swarts
Brooks	Fisher	Keenan	Platt	Thorn
Bryan	Fitzpatrick	Kelly	Poth	Traub
Burnett	Fowler	Kelsey	Prince	Ulmann
Burns	Galbraith	Landon	Reilly	Van Name
Cadin	Gardiner R	Lewis M E	Reynolds	Waite
Cook	Geoghan	Lewis T D	Rider	Weber
Coons	Griffith	Lynn	Roberts	Wilson H

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendment of the Senate thereto.

The Senate returned the bill (No. 376, Senate reprint No. 1519) entitled "An act to amend chapter 182 of the Laws of 1898, entitled 'An act for the government of cities of the second class,' in relation to the park commissioners" (Int. No. 361), with a message that they have concurred in the passage of the same, with the following amendment:

Strike out all after the enacting clause and insert the following:

Section 1. Section four hundred and eighty-three of chapter one hundred and eighty-two of the laws of eighteen hundred and ninety-eight, entitled "An act for the government of cities of the second class" as amended by chapter four hundred and fifteen of the laws of nineteen hundred, is hereby amended to read as follows:

§ 483. Saving clause.—Nothing contained in this act shall be construed to repeal any statute of the state or ordinance of the city or rule or regulation of the board of health not inconsistent with the provisions of this act and the same shall remain in full force and effect, when not inconsistent with the provisions of this act, to be construed and operated in harmony with the provisions of this act. The powers which are conferred and the duties which are imposed upon any officer or department of the city under any statute of the state, or any city ordinance which is in force at the time of the taking effect of this act, shall, if such office or department be abolished by this act, be thereafter exercised and discharged by the officer, board or department upon whom is imposed corresponding or like functions, powers and duties under the provisions of this act. Where any contract has been entered into by the city prior to the time of the taking effect of this act, or any bond or undertaking has been given to or in favor of the city, which contains provisions that the same may be enforced by some officer, board or department therein named, but by the provisions of this act such office, board or department is abolished, such contracts, bonds and undertakings shall not in any manner be impaired, but shall continue in full force and the powers conferred and the duties imposed with reference to the same upon the officer, board or department which has been abolished, shall thereafter be exercised and discharged by the officer, board or department upon whom is conferred or imposed like powers, functions or duties under the provisions of this act. The park commission, in any city, which at the time this act takes effect, has a general park system which has not been completed by the purchase of lands according to plans heretofore prepared and adopted, is continued in office until January

first, nineteen hundred and four, with all the powers and subject to all the duties, conferred and imposed upon such commission by the law creating such commission and the amendments thereto.

§ 2. This act shall take effect immediately.

Mr. M. E. Lewis moved to concur in the Senate amendment.

Mr. Speaker put the question whether the House would concur in said amendment, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 91 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Coughtry	Hallock	Mains	Ross
Adler	Darrison	Hammond	Marson	Salyerds
Ahern	DeGraw	Hanford	McInerney	Scanlon
Allds	Delaney	Harburger	McKeown	Schneider
Apgar	Dickey	Hasenflug	McQuade	Sherer
Axtell	Dooling	Hawkins	Morgan	Smith J E
Baker	Duross	Hitchcock	O'Brien	Smith J T
Baum	Egan	Holsten	O'Connell	Smith S W
Bedell	Everett	Honeck	Orr	Snyder
Bennet	Fancher	Hyman	Phillips	Sullivan
Bradley	Fisher	Irwin	Plank	Swift
Brill	Fitzgerald	Juengst	Poth	Thorn
Bruckner	Fordyce	Keenan	Prince	Treat
Bryan	Frisbie	Kelly	Remsen	Ulmann
Burns	Galbraith	Kelsey	Richter	Van Name
Cadin	Gardner C J	Knipp	Rider	Waite
Cook	Geoghan	Leggett	Roberts	Weber
Coons	Griffith	Lewis T D	Rodenbeck	Wilson H
Costello				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the bill (No. 1904, Senate reprint No. 1544) entitled "An act to amend the Insurance Law, relative to the standard fire insurance policy to be prescribed and used " (Int.

No. 1368), with a message that they have concurred in the passage of the same with the following amendment:

Strike out all after the enacting clause and insert the following:

Section 1. Section one hundred and twenty-one of chapter six hundred and ninety of the laws of eighteen hundred and ninety-two, entitled "An act in relation to insurance corporations, constituting chapter thirty-eight of the general laws," is hereby amended so as to read as follows:

§ 121. Standard fire insurance policy to be prescribed and used.—The printed blank form of a contract or policy of fire insurance, with such provisions, agreements or conditions as may be indorsed thereon or added thereto and form a part of such contract or policy, heretofore filed in the office of the secretary of state by the superintendent of insurance or by the New York board of fire underwriters, pursuant to the provisions of chapter four hundred and eighty-eight of the laws of eighteen hundred and eighty-six shall be transferred by the secretary of state to the office of the superintendent of insurance and, together with such provisions, agreements or conditions as may previous to the thirty-first day of December, nineteen hundred and one, be filed by the New York board of fire underwriters in the office of the superintendent of insurance and approved by him which provisions, agreements or conditions shall be void if they are inconsistent with the standard fire insurance policy heretofore filed in the office of the secretary of state, shall be known and designated as the "standard fire insurance policy of the state of New York." No fire insurance corporation, its officers or agents, shall make, issue or deliver for use, any fire insurance policy or the renewal of any such policy on property in this state, other than such as shall conform in all particulars as to blanks, size of type, context, provisions, agreements and conditions with such printed blank form of contract or policy; and no other or different provision, agreement, condition or clause shall be in any manner made a part of such contract or policy or indorsed thereon or delivered therewith, except as follows, to wit:

First. The name of the corporation, its location and place of business, date of its incorporation or organization, whether it is a stock or mutual corporation, the names of its officers, the number and date of the policy, and if issued through a manager or agent the words "this policy shall not be valid until countersigned by the duly authorized manager or agent of the corporation at"

Second. Printed or written forms of description and specification, or schedules of the property covered by any particular policy, and any other matter necessary to clearly express all the facts

and conditions of insurance on any particular risk not inconsistent with or a waiver of any of the conditions or provisions of the standard policy herein provided for.

Third. With the approval of the superintendent of insurance, if the same is not already included in such standard form, any provision which any such corporation is required by law to insert in its policies, not in conflict with the provisions of such standard form.

Such provisions shall be printed apart from the other provisions, agreements or conditions of the policy under a separate title as follows: "Provisions required by law to be stated in this policy." The name, with the word "agent" or "agents," and place of business, of any insurance agent or agents, either by writing, printing, stamping or otherwise, may be indorsed on the outside of such policies.

§ 2. This act shall take effect immediately.

Mr. Cadin moved to concur in the Senate amendment.

Mr. Speaker put the question whether the House would concur in said amendment, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 95 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Coons	Graeff	Mains	Rodenbeck
Adler	Cotton	Hallock	Mansfield	Ross
Ahern	Daly	Hammond	Marson	Salyerds
Allds	Darrison	Hanford	McInerney	Scanlon
Allston	DeGraw	Harris	McMillan	Seymour
Apgar	Delaney	Hatch	McQuade	Smith A R
Axtell	Dickey	Hawkins	Nye	Smith J E
Baker	Dickinson	Hitchcock	O'Connell	Smith J T
Baum	Doughty	Holsten	Orr	Smith W H
Bell	Dusinbery	Hyman	Phillips	Stevens
Bennet	Egan	Irwin	Phipps	Sullivan
Bradley	Everett	Juengst	Plank	Swift
Brill	Fancher	Kaiser	Poth	Thorn
Bruckner	Fisher	Keenan	Prince	Treat
Bryan	Fitzpatrick	Kelly	Rainey	Ulmann

Burns	Fordyce	Kelsey	Remsen	Van Name
Cadin	Frisbie	Knipp	Richter	Waite
Cook	Galbraith	Leggett	Rider	Weber
Cooley	Gardner C J	Lewis T D	Roberts	Weekes

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendment of the Senate thereto.

The Senate returned the bill (No. 1566, Senate reprint No. 1494) entitled "An act to provide for the licensing of firemen operating steam stationery boiler or boilers in the city of New York" (Int. No. 504), with a message that they have concurred in the passage of the same with amendments:

Page 2, line 8, after the word "as" strike out the word "boiler" and insert the word "oiler."

Page 2, line 13, after the word "Police," strike out the word "department," and insert the word "commissioner."

Same page, line 18, after the word "police" strike out the word "board" and insert the word "commissioner."

Mr. Adler moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 97 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Daly	Hanford	Mansfield	Rodenbeck
Ahern	Darrison	Harris	Marson	Ross
Allds	DeGraw	Hasenflug	Mathews	Ruehl
Apgar	Delaney	Hawkins	McKeown	Sanders
Axtell	Dickey	Henry	McMillan	Scanlon
Babcock	Dooling	Hitchcock	Meister	Seymour
Baum	Doughty	Holsten	Morgan	Smith A R
Bedell	Dusinbery	Honeck	O'Brien	Smith J E
Bell	Ellis	Irwin	O'Malley	Smith J T
Blackwell	Fancher	Juengst	Orr	Smith W H
Bradley	Fish	Kaiser	Patton	Stevens

Brooks	Fitzgerald	Keenan	Phillips	Swarts
Bruckner	Fordyce	Kelly	Platt	Swift
Bryan	Frisbie	Knipp	Price	Traub
Burnett	Galbraith	Landon	Prince	Treat
Cadin	Gardner C J	Leggett	Remsen	Vacheron
Conger	Graeff	Lewis T D	Richter	Waite
Cooley	Griffith	Lynn	Rierdon	Weber
Costello	Hallock	Mains	Robinson	Wilson H
Cotton	Hammond			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the bill (No. 2284, Senate reprint No. 1601) entitled "An act making appropriations for certain expenses of government and supplying deficiencies in former appropriations" (Int. No. 1372), with a message that they have concurred in the passage of the same with the following amendment:

Strike out all of the enacting clause and insert:

Section 1. The treasurer shall pay, on the warrant of the comptroller, from the several funds specified, to the persons, and for the objects indicated in this act, the amounts named or such parts of those amounts as shall be sufficient to accomplish, in full, the purposes designated by the appropriations, which several amounts are hereby appropriated out of any moneys in the treasury not otherwise appropriated, but no warrants shall be issued, except in cases of salaries, until the amounts claimed shall have been audited and allowed by the comptroller, who is hereby authorized to determine the same. The persons demanding payment shall present to him a detailed statement, in items, verified by affidavit; and if the account shall be for services, it must show when, where and under what authority they were rendered; if for expenditures, when, where and under what authority they were made; if for articles furnished when and where they were furnished, to whom they were delivered, and under what authority; and if the demand be for traveling expenses, the account must also specify the distance traveled, the place of starting and destination, the duty or business and the date and items of expenditure. On all accounts for transportation, furniture, blank and other books furnished for the use of officers, binding, blanks, printing, stationery and postage, a bill duly verified must be furnished; but whenever an appropriation shall have been provided otherwise the sum herein directed to be paid shall not be considered as an addition

to such other appropriation unless it shall be expressly so declared in this act.

FROM THE GENERAL FUND.

EXECUTIVE DEPARTMENT.

For compensation, expenses and fees of witnesses upon application for executive clemency in capital cases to be paid by the comptroller upon the order of the governor the sum of seven hundred and eighty-five dollars and seventy-two cents, being the unexpended balance of appropriation made by chapter five hundred and ninety-three of the laws of eighteen hundred and ninety-eight, for apprehension of criminals and fugitives from justice, which sum is hereby reappropriated for the above mentioned purpose. To reimburse the appropriation for salaries of notarial clerks the sum of eleven hundred dollars to be paid by the treasurer from money received from the fees of notaries.

To reimburse the fund for clerks, stenographers and messengers, the sum of eighteen hundred dollars.

The sum of fifteen hundred dollars, being a portion of the unexpended balance of the appropriation for the commissioners of statutory revision, made by chapter four hundred and nineteen, laws of nineteen hundred, is hereby reappropriated for the payment of the legal advisor to the governor for the six months ending December thirty-first, nineteen hundred, of which seven hundred and fifty dollars shall be applied to reimburse the contingent fund of the executive department for salary heretofore advanced to said legal advisor.

For the executive department for printing of the state papers of the governor's predecessor eight hundred and seventy-five dollars, or so much thereof as may be necessary.

For the payment of the balance due Ansley Wilcox the commissioner appointed by the governor, November twenty-eight, eighteen hundred and ninety-nine, to hear the charges preferred against the former district attorney of New York county, the sum of five thousand dollars, and for the payment of the balance due for stenographer's fees in the same proceeding, the sum of six thousand, seven hundred and sixty-two dollars and ninety cents.

JUDICIARY.

For Robert Earl, associate judge of the court of appeals, whose term of office is abridged under the provisions of section twelve, article six, of the constitution, who has served as such associate judge ten years, twelve thousand dollars, or so much thereof as may be necessary.

For Charles Andrews, late chief judge and associate judge of the court of appeals, whose term of office is abridged under the provisions of section twelve, article six, of the constitution, who has served as such chief judge and associate judge ten years, twelve thousand dollars, or so much thereof as may be necessary.

For Jackson O. Dykman, a justice of the supreme court in the second judicial district, not residing in the county of Kings, whose term of office was abridged under the provisions of section twelve of article six of the constitution, and who served as such justice more than ten years, seven thousand two hundred dollars, or so much thereof as may be necessary; and for additional compensation, pursuant to chapter seven hundred and sixty-five of the laws of eighteen hundred and sixty-eight, as amended by chapter one hundred and twenty-six of the laws of eighteen hundred and eighty-three, and chapter one hundred and fourteen of the laws of eighteen hundred and ninety-four, three thousand seven hundred and fifty dollars, said amount to be refunded to the treasury pursuant to the provisions of the above mentioned acts.

For Charles C. Dwight, justice of the supreme court in the seventh judicial district whose term of office was abridged under the provisions of section twelve of article six of the constitution, and who served as such justice more than ten years, seven thousand two hundred dollars, or so much thereof as may be necessary.

For compensation of confidential clerks to the justices of the supreme court designated to the appellate division of the second department, three thousand two hundred and sixty dollars, or so much thereof as may be necessary, to be refunded to the treasury pursuant to chapter one hundred fifty-one of the laws of nineteen hundred.

For deficiency in appropriation for the compensation of deputy clerks and attendants of the appellate division of the supreme court in the second judicial department, for the fiscal year ending September thirtieth, nineteen hundred and one, four thousand nine hundred and eight dollars and thirteen cents, to be refunded to the treasury as provided by chapter ninety-nine, laws of eighteen hundred and ninety-six, or the acts amendatory thereto.

For the clerk of the court of appeals for stationery and other office expenses to October first nineteen hundred and one, five hundred dollars, or so much thereof as may be necessary.

For deficiency in appropriation for the necessary expenses of the several justices assigned to the appellate divisions of the supreme court pursuant to chapter three hundred ninety of the laws of eighteen hundred and ninety-six, three thousand dollars, or so much thereof as may be necessary.

For deficiency in appropriation for expenses of the appellate divisions of the supreme court, for compensation of clerks, criers, attendants and of stenographers and clerks to the judges and for their necessary expenses eight thousand dollars or so much thereof as may be necessary.

For deficiency in appropriation for the justices of the supreme court, for salaries and expenses for the fiscal year ending September thirtieth, nineteen hundred, seven thousand five hundred dollars, or so much thereof as may be necessary.

LEGISLATURE.

For the clergymen officiating as chaplain of the assembly, during the session of nineteen hundred and one, for compensation, to be paid to the clerk of the assembly, for distribution by him to those clergymen, at the rate of five dollars a day for every day of attendance, four hundred dollars, or so much thereof as may be necessary.

For the clergymen officiating as chaplain of the senate during the session of nineteen hundred and one, for compensation, to be paid to the clerk of the senate, for distribution by him to those clergymen, at the rate of five dollars a day for every day of attendance, four hundred dollars, or so much thereof as may be necessary.

For engrossing resolutions ordered by the assembly of nineteen hundred, and nineteen hundred and one, five hundred dollars, or so much thereof as may be necessary, to be paid upon the certificate of the clerk of the assembly.

For the clerks of the senate and assembly, for the use of the senate and assembly, for file boards, index clerk's books, committee books, stationery, printing, for revising the clerk's manual and books, and copies of codes for the use of the senate and assembly, judiciary and codes committees, fourteen thousand much thereof as may be necessary.

For deficiency in appropriation for postage, expenses of committees, compensation of witnesses, legislative manual, Crosswell's manual, clerk's manual, indexing the bills, journals and documents of the senate and assembly, and other contingent expenses of the legislature, twenty-five thousand dollars, or so much thereof as may be necessary.

For the preparation of supplementary indices of senate bills, journals and documents, and indexing of the executive journals of the senate, the sum of one thousand dollars, or so much thereof as may be necessary, to be paid by the comptroller on the certificate of the president of the senate.

For engrossing resolutions ordered by the senate of nineteen

hundred and nineteen hundred and one, five hundred dollars, or so much thereof as may be necessary, to be paid upon the certificate of the clerk of the senate.

For the traveling and other expenses of the clerk and employes of the senate in attending the investigation relative to the Rochester school bill, the sum of one hundred and seventy-five dollars or so much thereof as may be necessary, the same to be paid by the comptroller upon the certificate of the president of the senate.

For the clerk of the senate for preparing senate indexes during the legislative session of nineteen hundred and one, one thousand dollars or so much thereof as may be necessary, to be paid upon the certificate of the president of the senate.

For the rebinding of books in the senate library and for the purchase of books to complete the laws, journals and documents in the senate library, the sum of one thousand dollars or so much thereof as may be necessary, the same to be paid by the comptroller upon the certificate of the clerk of the senate.

SECRETARY OF STATE.

The sum of twenty-seven hundred dollars is hereby reappropriated out of the unexpended balances of the appropriation for clerical hire in the secretary of state's office pursuant to chapter five hundred and seventy of the laws of eighteen hundred and ninety-nine, for the construction of a gallery together with shelving, fixtures and other necessary repairs in the secretary of state's office, said work to be done under the direction of the superintendent of public buildings upon plans prepared by the state architect.

For the secretary of state for the payment of the inauguration expenses, the sum of eleven hundred and twenty dollars, or so much thereof as may be necessary, to be paid by the state treasurer upon the warrant and audit of the comptroller.

For the purpose of complying with the provisions of section nineteen and subdivision one of section thirty-six of the election law, the sum of ten thousand dollars, or so much thereof as may be necessary.

For the purchase of additional card file cases, for clerical services, for making index of the land grants, deeds, mortgages and maps, and land papers, and for binding land papers to be paid on the certificate of the secretary of state on the audit of the comptroller, four thousand dollars, or so much thereof as may be necessary.

For expenses in connection with the electoral college, including the compilation and printing of the proceedings of said elec-

toral college, the sum of five hundred dollars, or so much thereof as may be necessary.

For the secretary of state, for printing, binding and furnishing the necessary blanks for lists of persons enrolled and blank challenge affidavits, for use at the general election of nineteen hundred, pursuant to the provisions of chapters four hundred and ninety-nine and six hundred and thirty of the laws of eighteen hundred and ninety-nine, the sum of seven thousand nine hundred and ninety dollars and twenty cents, or so much thereof as may be necessary.

The sum of one thousand dollars is hereby reappropriated out of the unexpended balances of appropriations for clerical hire in the secretary of state's office, pursuant to chapter five hundred and seventy of the laws of eighteen hundred and ninety-nine, for extra temporary clerical and expert services in the office of the secretary of state.

COMPTROLLER.

For the comptroller, for the payment of compensation and expenses of counsel employed by him in legal actions or proceedings, six thousand dollars, or so much thereof as may be necessary.

For the comptroller, to pay claims on file in his office for assessments for local improvements on property, owned by the state, the sum of five thousand dollars or so much thereof as may be necessary, and for expenses in investigating such claims the sum of five hundred dollars, or so much thereof as may be necessary. All fees, interest and expenses of sale or collection incurred by local authority, officer or agent, in making any assessment, levy or collection or sale upon or of state property, or property held in trust for the state, for street or other municipal improvements in any municipal corporation of the state, shall be rejected by the comptroller.

For the care, maintenance, repairs and improvements of the Saratoga monument and the grounds connected therewith, to be expended under the supervision of the comptroller, pursuant to the provisions of chapter five hundred and fifty-five of the laws of eighteen hundred and ninety-five, the sum of six hundred dollars, or so much thereof as may be necessary.

For the expenses of examinations and investigations of public institutions, made pursuant to law, the sum of two thousand dollars, or so much thereof as may be necessary, to be paid upon vouchers audited by the comptroller.

For the comptroller, for the payment of judgments against the state, for costs in certain actions pursuant to section thirty-two

hundred and forty-one of the code of civil procedure, four thousand dollars, or so much thereof as may be necessary.

For the comptroller, for recopying, binding and repairing tax books, sales books, tax diaries, redemption diaries and other books and records of the land bureau in the comptroller's office, two thousand dollars, or so much thereof as may be necessary.

For the comptroller for the payment of the expenses of the collection of the Oneida county court and trust funds from the receiver of the Central National Bank of Rome, the sum of two thousand five hundred seventy-seven dollars and forty cents.

For the comptroller for furnishing and refitting the offices of the transfer tax bureau and land bureau with steel filing cases for the safe keeping of the statistics, documents and records of said departments, the sum of seventeen thousand dollars, or so much thereof as may be necessary, such work to be done upon plans and specifications of the state architect. None of this appropriation shall be available until after a contract shall have been let therefor after due advertisement to the lowest responsible bidder and a satisfactory bond for the completion of the same shall have been approved by and filed with the comptroller.

For the comptroller, for the payment of an agent or agents, and for other necessary expenses in the enforcement of the act to license and regulate the business of private detectives and detective agencies, the sum of three thousand dollars, or so much thereof as may be necessary, the amount herein appropriated to be paid from the funds received for license fees, as provided in chapter four hundred and twenty-two of the laws of eighteen hundred and ninety-eight, as amended by chapter three hundred and eighteen of the laws of eighteen hundred and ninety-nine.

For the comptroller, for salary and expenses of examiner appointed by the governor, pursuant to chapter four hundred and fourteen of the laws of eighteen hundred and ninety-nine, to examine the books of the running associations, three thousand dollars, or so much thereof as may be necessary, and for salaries and expenses of two examiners to examine the books of the trotting associations of the state, four thousand dollars. The amounts herein appropriated to be paid from the funds collected from said associations.

For deficiency in appropriation for advances to county treasurers on amount of taxes on property of non-residents and for taxes on state wild or forest lands, which may be returned to the comptroller's office, and for adjusting accounts of state taxes with counties, thirty thousand dollars, or so much thereof

as may be necessary, to be paid from the proceeds of the tax-sale of nineteen hundred.

For the comptroller, for the amount heretofore credited to Hamilton county pursuant to chapter two hundred and seventeen of the laws of eighteen hundred and eighty-nine, twenty-eight hundred fifty-six dollars and eighty-seven cents.

For deficiency in appropriation for postage on official letters, documents and other matter sent by mail or express by the governor, secretary of state, comptroller, treasurer, attorney-general, state engineer and surveyor, superintendent of public instruction, regents of the university, adjutant-general, clerk of the court of appeals, state board of charities, state board of health, civil service commission and bureau of labor statistics, four thousand dollars, or so much thereof as may be necessary.

For the comptroller, for the redemption of certificate number six, due January thirtieth, nineteen hundred and two, issued for the purchase of land for the Adirondack park, under chapter five hundred and sixty-one of the laws of eighteen hundred and ninety-five, fifty-five thousand dollars, and for one year's interest at three per centum, on certificates numbers six to ten, issued for the same purpose, eight thousand two hundred and fifty dollars.

For the comptroller, for the payment of interest at three and one-half per centum for one year on four hundred thousand dollars of Adirondack park bonds, issued pursuant to chapter two hundred and twenty of the laws of eighteen hundred and ninety-seven, fourteen thousand dollars, or so much thereof as may be necessary.

For the comptroller, for the payment of interest at three and one-half per centum for one year, on nine hundred thousand dollars of public defense bonds, issued pursuant to chapter six hundred and seventy-two, laws of eighteen hundred and ninety-eight, thirty-one thousand five hundred dollars, or so much thereof as may be necessary.

For the comptroller, for the repayment to the several towns for the highway taxes reported pursuant to chapter three hundred and fifty-one of the laws of eighteen hundred and ninety-eight the sum of sixty-seven thousand six hundred and fifty-five dollars and eighty-four cents, or so much thereof as may be necessary.

For the comptroller, for deficiency in appropriation for expenses of transportation of the session laws, journals and documents of the legislature, reports, books and packages by express or freight for public officers, and expenses of boxes therefor, ten thousand dollars or so much thereof as may be necessary.

The sum of one thousand three hundred and fifty-eight dollars and thirty-four cents, being the unexpended balance of appropriation made by chapter four hundred and eighteen of the laws of nineteen hundred, for the salary of the deputy comptroller, is hereby reappropriated for shelving for storage of documents, repairs, and other general expenses of the comptroller's office.

For Mary C. Morgan, widow of the late William J. Morgan, comptroller, who died September fifth, nineteen hundred, the sum of two thousand dollars, being the balance of the annual compensation of said comptroller for the calendar year, which would have been earned by him had he continued to live until the close of his term of office.

The sum of one hundred and eighty-seven dollars and ten cents, being the unexpended balance of appropriation per chapter six hundred and six of the laws of eighteen hundred and ninety-eight, for fees of surrogates in furnishing to the secretary of state copies of letters of administration, copies of wills probated in other states and subsequently filed in this state, as provided by section twenty-five hundred and three of the code of civil procedure, is hereby reappropriated for the same purpose.

For the examination of the accounts of the various county treasurers of the state, as required by chapter six hundred and fifty-one of the laws of eighteen hundred and ninety-two, for services of examiners, eight thousand dollars; for traveling and other necessary expenses of examiners, three thousand dollars, or so much thereof as may be necessary.

For the comptroller for the completion of the work in examination, arrangement, compilation and binding of the records of the revolutionary war in the comptroller's office, and for publishing further editions of twelve hundred copies of "New York in Revolution," with index, four copies of such edition to be furnished each member of the legislature, four thousand five hundred dollars, or so much thereof as may be necessary.

For the comptroller, for expenses in enforcing the new corporation and transfer tax laws, to the thirtieth of September, nineteen hundred and one, as follows: For the corporation tax bureau for stationery, books, postage, printing, furniture, traveling and all other necessary expenses, thirty-five hundred dollars, or so much thereof as may be necessary; for extra clerical and stenographic services, two thousand dollars, or so much thereof as may be necessary; for the transfer tax bureau, for printing books for surrogates records and receipt books, for postage, traveling and other necessary expenses, two thousand five hundred dollars, or so much thereof as may be necessary; for extra clerical and stenographic services, two thousand eight hundred and fifty dollars, or so much thereof as may be necessary.

For the comptroller for the purpose of paying Dr. S. Case Jones for the balance due him for services and disbursements in full as a member of the tuberculosis committee of the state board of health, which position has now ceased to exist, the sum of three hundred eighty-nine dollars and fifty-seven cents, or so much thereof as may be necessary.

For the comptroller for the purpose of paying Dr. F. W. Smith for the balance due him for services in full as a member of the tuberculosis committee of the state board of health, which position has now ceased to exist, the sum of six hundred thirty-three dollars and thirty-three cents, or so much thereof as may be necessary.

For the comptroller for paying tax on property on Webster, Goundry and Oliver streets in the city of North Tonawanda, two thousand thirty dollars and eighty-five cents.

STATE TREASURER.

For the state treasurer, the sum of five hundred dollars, for furniture, books, binding, blanks, printing and other office expenses, or so much thereof as may be necessary.

THE ATTORNEY-GENERAL.

For the attorney-general, the sum of five thousand dollars, or so much thereof as may be necessary, for the expenses of investigating claims presented against the state.

For the attorney-general, for the payment of attorneys and counsel designated or employed by the governor or attorney-general for the transaction of legal business in pursuance of the provisions of chapter eight hundred and twenty-one of the laws of eighteen hundred and ninety-five, ten thousand dollars, or so much thereof as may be necessary; but no warrant shall be issued for such payments until the amounts claimed shall be certified, audited and allowed by the governor and the attorney-general.

For the attorney-general, the sum of ten thousand dollars, or so much thereof as may be necessary, to pay attorneys, counsel and commissioner employed by him in pursuance of law, on the audit of the comptroller.

For Ceylon H. Lewis, three thousand, five hundred and forty-three and seventy-five one-hundredths dollars, for services as a deputy attorney-general, made necessary by the ordering of an extraordinary term of the supreme court.

To Clarence W. Francis, deputy attorney-general, for rent and maintenance of an office in the city of New York, and expenses thereof, for the two years preceding January first, nineteen hun-

dred and two, the sum of two thousand dollars; to be paid by the comptroller upon the audit and certificate of the attorney-general.

For the attorney-general for the payment by the comptroller upon bills duly audited and approved by the governor and the attorney-general for attorneys' fees and disbursements in the suit to recover penalties for violations of the agricultural law, the sum of two thousand dollars, or so much thereof as may be necessary.

For deficiency in appropriation for salary of deputy attorney-general in charge of agricultural prosecutions one thousand dollars.

The sum of three thousand five hundred dollars, being a portion of the unexpended balance of the appropriation for the commissioners of statutory revision, made by chapter four hundred and nineteen of the laws of nineteen hundred, is hereby reappropriated for the payment of the balance due to Horace E. Deming, for services as counsel in connection with the investigation of the charges against the late district attorney of the county of New York, the same to be available upon the filing with the comptroller of a receipt in full for all services and expenses.

STATE ENGINEER AND SURVEYOR.

For the state engineer and surveyor for surveys and maps for the use of the attorney-general in cases before the court of claims arising on account of the canals of the state, the sum of fifteen thousand dollars or so much thereof as may be necessary, to be made available and payable from the canal fund.

For the state engineer and surveyor, to enable him to continue the survey, plotting and monumenting of the state lands now under lease, or to be leased in the future for the oyster industry, the sum of two thousand dollars.

For the state engineer and surveyor for traveling expenses and disbursements of employes, and for expenses incurred by his department in making examinations, surveys and maps for restoring and placing monuments on the boundary lines of the state, pursuant to chapter four hundred and twenty-one, laws of eighteen hundred and eighty-seven, the sum of four thousand dollars or so much thereof as may be necessary payable from the general fund.

For salaries and expenses of the chief bridge designer and inspector with the necessary assistants, draughtsmen, and supplies, the sum of ten thousand dollars, or so much thereof as may be necessary.

For the state engineer and surveyor for the purpose of continuing to cooperate with the United State geological survey in surveying and mapping the state of New York in the manner defined by chapter two hundred and nineteen, laws of eighteen hundred and ninety-eight, the sum of twenty-five thousand dollars, or so much thereof as may be necessary.

For the state engineer and surveyor for cooperation with the United States geological survey in hydrographic work connected with the measurements of volume of streams and flow of water in the state of New York, for the purpose of determining water supply available for canals and for potable and domestic uses and the development of water power, the sum of fifteen hundred dollars, or so much thereof as may be necessary.

For the state engineer and surveyor for carrying out the provisions of chapter one hundred and fifteen of the laws of eighteen hundred and ninety-eight, the sum of two hundred and fifty thousand dollars, or so much thereof as may be necessary.

For the state engineer and surveyor for completing new blue line maps of the Erie, Oswego and Champlain canals, the sum of one thousand dollars, or so much thereof as may be necessary, which sum shall be payable from the canal fund and be immediately available.

For the state engineer and surveyor for copying and preserving old maps, survey notes and miscellaneous references of his department relating to lands and land patents, colonial and early state times, the sum of one thousand dollars, or so much thereof as may be necessary.

The unexpended balance of the appropriation made by chapter five hundred and forty of the laws of eighteen hundred and ninety-nine for clerk hire in the office of the state engineer and surveyor being one thousand two hundred and ninety-two dollars and twenty-three cents is hereby reappropriated for the same purpose.

For the state engineer and surveyor for making such surveys in the forest preserve or on adjoining lands as may be necessary to the work for the forest, fish and game commission, the sum of two thousand dollars, or so much thereof as may be necessary.

DEPARTMENT OF PUBLIC INSTRUCTION.

For repairs, renewals, betterments of buildings, equipment, fixtures, furniture and such additional accommodations in the normal schools of the state as may be necessary, eighty thousand dollars, or so much thereof as may be necessary, to be apportioned by the state superintendent of public instruction and to be expended by the local board of managers, payable upon bills audited by the comptroller upon vouchers approved by the state superintendent.

For the erection of new school buildings, repair and improvement of schoolhouses, and the purchase of necessary supplies for the Indian schools on the Allegany and Cattaraugus, the Onondaga, the Tonawanda, Tuscarora, Saint Regis, Shinnecock and Poospatuck Indian reservations, twenty-five hundred dollars, or so much thereof as may be necessary, to be expended under the direction of the state superintendent of public instruction.

For the professional training of teachers in accordance with the provisions of chapter ten hundred thirty-one of the laws of eighteen hundred ninety-five, and for the maintenance of classes for the training of common school teachers in the various academies and union free schools of the state, in accordance with the provisions of chapter five hundred fifty-six of the laws of eighteen hundred ninety-four, fifty thousand dollars, or so much thereof as may be necessary, to be paid from the free school fund by the state superintendent of public instruction to the various training schools and classes on the basis of the allowance per week specified by statute for the number of teachers instructed therein, for the annual school year ending July thirty-one nineteen hundred and one.

For deficiency in the appropriation for the maintenance of the examination department occasioned by the examinations in connection with the uniform grade course of study, six thousand dollars, or so much thereof as may be necessary, payable from the free school fund.

The sum of sixteen hundred dollars being the amount appropriated for the salary of a special instructor in drawing for teachers' institutes under chapter four hundred eighteen of the laws of nineteen hundred, is hereby reappropriated for the maintenance of institutes in accordance with the provisions of chapter five hundred fifty-six of the laws of eighteen hundred ninety-four.

For the superintendent of public instruction for the publication of twenty thousand five hundred copies of the "Manual of Patriotism" recently prepared by him in accordance with the provisions of chapter four hundred eighty-one of the laws of eighteen hundred ninety-eight, the sum of thirteen thousand three hundred twenty-five dollars, provided the same can be furnished at not to exceed said sum, and provided that the person, firm or corporation now holding the contract for such printing shall, prior to the publishing thereof, file with the comptroller a suitable agreement in writing, to accept a sum therefor not exceeding the sum above specified, and expressly waive any further sum to which he or they may or might be entitled under such contract therefor. The said copies to be distributed as follows: Fifteen thousand by the superintendent of public instruction, to

the public schools of the state to enable the school authorities to supply each room in their various school buildings with a copy thereof; and five thousand five hundred copies to be distributed as follows: To each senator for the year nineteen hundred one and two, forty; and to each member of assembly for the year nineteen hundred one, twenty copies.

For payment of the fees of county treasurers for receiving and disbursing the state school tax for the years nineteen hundred and nineteen hundred one, twenty-one thousand dollars, or so much thereof as may be necessary, payable from the free school fund.

For the local board of the state normal and training school at Brockport, New York, for the purpose of reimbursing Mary H. Allen for damages resulting from the cancellation of the contract entered into between her and such local board for the management of the dormitory and boarding hall in connection with such school, one thousand five hundred dollars, or so much thereof as may be necessary, to be paid by the comptroller upon the certificate of the state superintendent of public instruction accompanied by the release of the said Mary H. Allen, properly executed, of all liability on the part of such local board or of the state by reason of such contract.

UNIVERSITY OF THE STATE OF NEW YORK.

For the state paleontologist, for the purpose of excavating the skeleton of mastodon in Orange county, the sum of six hundred dollars or so much thereof as may be necessary.

DEPARTMENT OF AGRICULTURE.

For the commissioner of agriculture for the purpose of investigation and extermination of the San Jose scale, the sum of twenty thousand dollars, or so much thereof as may be necessary.

For the commissioner of agriculture for the payment of claims against the state for the loss of horses diseased by glanders, killed under the provisions of the agricultural law, five hundred dollars, or so much thereof as may be necessary.

For the commissioner of agriculture for the settlement of the claim of J. T. Norton for salary, the sum of six hundred dollars, the same to be paid upon the order of the commissioner upon the filing with him of a receipt in full for all services and disbursements together with a resignation from the position of expert and agent.

For the payment of the expenses of delegates to the National farmers' congress, appointed by the governor of this state for the

year nineteen hundred and one, the sum of fifteen hundred dollars, or so much thereof as may be necessary, said expenses to be paid by the comptroller after audit and upon the approval of the commissioner of agriculture.

STATE ARCHITECT.

The sum of three hundred and eighty-nine dollars, being part of the balance unexpended from an appropriation of sixteen hundred and forty-two dollars for clerk and stenographer and the sum of three hundred and ninety-one dollars, being part of the unexpended balance of an appropriation of four hundred and seventy dollars for a laborer, made pursuant to chapter four hundred and eighteen of the laws of nineteen hundred, is hereby reappropriated to pay the salary of the private secretary for the balance of the fiscal year ending September thirtieth, nineteen hundred and one.

The sum of two hundred and eight dollars, being part of the unexpended balance of the appropriation of two thousand five hundred dollars for chief draughtsman and the sum of one hundred and sixty-eight dollars, being part of the unexpended balance of an appropriation of twelve hundred and fifty-two dollars for one draughtsman, as appropriated by chapter four hundred and eighteen of the laws of nineteen hundred, is hereby reappropriated for consulting expert and additional draughtsmen.

BANKING DEPARTMENT.

The sum of one thousand dollars or so much thereof as may be necessary to be paid by the comptroller upon the certificate of the attorney general and of the superintendent of banks for the purpose of paying witness fees and other disbursements in proceedings and litigations for or on account of institutions under the supervision of the superintendent of banks the same to be charged to, and repaid to the state by such corporations and in such proportion as the superintendent of banks shall deem just and reasonable.

For the payment of examiners for the examination of corporations and individual bankers pursuant to the provisions of the banking law, five thousand dollars, or so much thereof as may be necessary, which shall be assessed and collected from the corporations and individual bankers according to the amount charged for the examination of each and refunded to the state treasury.

For books, binding, blanks, printing and other expenses of the bureau of building and loan associations and foreign corporations in the banking department thirteen hundred dollars, which sum

shall be assessed upon and collected from said associations and corporations and refunded to the treasury as provided in the banking law.

For stenographer in the branch office in New York, for additional compensation from January first, nineteen hundred and one, to October first, one hundred and fifty dollars.

CIVIL SERVICE COMMISSION.

The sum of six hundred fifty-three dollars and thirty-three cents, being part of the amount appropriated to the civil service commission by chapter four hundred nineteen of the laws of nineteen hundred for salaries of secretary and necessary clerks, examiners and stenographers not required for the expenses of said commission for the fiscal year ending October first nineteen hundred, is hereby reappropriated for the salary of a technical examiner from April thirteenth nineteen hundred and two to September thirtieth nineteen hundred and two inclusive, at the rate of one thousand four hundred dollars per annum.

EXCISE DEPARTMENT.

To pay deficiency in salary of Eulalie Parke, a stenographer in the department of excise, from May first, nineteen hundred and one, to October first, nineteen hundred and one, fifty dollars.

To pay deficiency in salary of Emily G. Pearsall, as stenographer in the department of excise from May first, nineteen hundred and one, to October first, nineteen hundred and one, seventy-five dollars.

FOREST, FISH AND GAME COMMISSION.

For the forest, fish and game commission, for the payment of rebates due the various towns on account of bills paid by them for suppressing forest fires, under chapter six hundred and fifty-five of the laws of eighteen hundred and ninety-six, nineteen thousand four hundred eighty-one dollars and fifty-six cents, or so much thereof as may be necessary.

For the payment of justices, constables, attorney and court costs and moieties in various prosecutions, twelve thousand dollars, or so much thereof as may be necessary, to be paid from the moneys received from fines and penalties, pursuant to section two hundred and eighty of chapter one hundred and fourteen, of the laws of eighteen hundred and ninety-six.

For the payment to James B. Lyon for an extra edition comprising three thousand copies of the forest, fish and game law for nineteen hundred, two hundred and twenty-five dollars.

For an exhibit at the New York state fair and the Pan-American exposition of the various species of fish and propagation of the same and for a forestry exhibit, the sum of one thousand dollars.

For continuing the work and for the payment of the expenses of experts furnished by the United States bureau of forestry, and for the estimating of standing timber and the securing of other information by them regarding the land and trees within the forest preserve, the sum of three thousand five hundred dollars.

For the payment of rent and office expenses of the shellfish department, two thousand dollars, or so much thereof as may be necessary; for the salary of the superintendent of the shell fish department, from April first to September thirty-first, nineteen hundred and one, the sum of one thousand dollars; for expenses, two hundred dollars, or so much thereof as may be necessary.

For the forest, fish and game commission for salary of shellfish superintendent from April first to October first nineteen hundred and one, one thousand dollars.

For the forest, fish and game commission for the purpose of constructing a fishway in the dam in Seneca river at Baldwinsville, twenty-five hundred dollars, or so much thereof as may be necessary.

HEALTH.

The sum of sixteen thousand two hundred eight dollars and eighty-three cents, being the unexpended balance of appropriations made by chapter four hundred and eighteen, laws of nineteen hundred, for the state board of health, is hereby reappropriated for the state department of health, as constituted by chapter twenty-nine, laws of nineteen hundred and one, for the following purposes, for the fiscal year ending September thirtieth, nineteen hundred and one. For salary of commissioner of health, one thousand seven hundred and fifty dollars; for his expenses five hundred and fifty-four dollars and eighty cents; for salary of secretary one thousand three hundred and sixteen dollars and sixty-seven cents; for salary of chief clerk, twelve hundred dollars; for salary of medical expert seven hundred and fifty dollars; for salary of registrar seven hundred and fifty dollars; for bacteriological expenses seven hundred dollars; for the salary of stenographer, five hundred dollars; for salary of six clerks, three thousand five hundred dollars; for office expenses, one thousand five hundred dollars; for traveling expenses of employes of the department one thousand dollars; for services and expenses of experts, chemists and stenographers in examinations and in-

vestigations, two thousand six hundred eighty-seven dollars and thirty-six cents, or so much thereof as may be necessary.

The sum of two thousand seven hundred and forty dollars and eighty-one cents, being the unexpended balance of appropriation made by chapter five hundred and seventy, laws of eighteen hundred and ninety-nine for clerks, messengers and other employes, is hereby reappropriated for services and expenses of experts, chemists and stenographers in examinations and investigations.

To the department of public health for the necessary expenditures for the manufacture and standardisation of tetanus *steptococcus* and diphtheria, anti-toxine, and for further investigations of serum therapy in tuberculosis, typhoid fever and kindred diseases, the sum of twenty thousand dollars, or so much thereof as may be necessary. Such expenditure to be made on the approval of the governor.

STATE HISTORIAN.

For the state historian for copyist, indexer, typewriter and for extra clerical service, and for printing, stationery, maps and supplies, the sum of two thousand dollars, or so much thereof as may be necessary.

For the state historian for the translation of copied documents in the possession of the ecclesiastical archives of Amsterdam and The Hague, relating to the colonial history of the state of New York, and for their preparation for publication, the sum of four thousand five hundred dollars, or so much thereof as may be necessary, paid on the audit of the comptroller.

INSURANCE DEPARTMENT.

To the superintendent of insurance for examiners for salaries, the sum of two thousand dollars, or so much thereof as may be necessary, the same to be collected from and refunded to the treasury by the corporations under examination when disbursements therefrom are in consequence of service at or in connection with such examination.

The sum of one thousand dollars, or so much thereof as may be necessary, to be paid by the comptroller upon the certificate of the attorney-general, and of the superintendent of insurance, for the purpose of paying witness fees and other disbursements in proceedings and litigations for or on account of institutions under the supervision of the superintendent of insurance the same to be charged to and repaid to the state by such corporations and in such proportion as the superintendent of insurance shall deem just and reasonable.

For the superintendent of insurance, for night watchman, from October first, nineteen hundred and one to September thirtieth, nineteen hundred and two, an additional appropriation of one hundred and eighty dollars.

DEPARTMENT OF LABOR.

The sum of forty-four thousand two hundred sixty-two dollars and eighty cents, being a portion of the unexpended balances of appropriations made by chapter four hundred and eighteen, laws of nineteen hundred, for the bureau of labor statistics, factory inspector and board of mediation and arbitration, is hereby reappropriated for the purposes of the department of labor for salaries and expenses for same to September thirtieth, nineteen hundred and one, as follows:

For the salary of commissioner of labor, one thousand one hundred and sixty-seven dollars; for mediator of industrial disputes, one thousand three hundred and eighty-four dollars and forty cents; for first deputy commissioner of labor, eight hundred and thirty-four dollars; for assistant first deputy commissioner of labor, one thousand dollars; for second deputy commissioner of labor, eight hundred and thirty-four dollars; for assistant second deputy commissioner of labor, one thousand dollars; for chief statistician, one thousand three hundred and eighty-four dollars and forty cents; for statistical clerk, six hundred and sixty-seven dollars; for special agents, deputy factory inspectors and other necessary clerical services, twenty-one thousand three hundred and ninety-one dollars; for superintendent of licenses six hundred and sixty-seven dollars; for the expenses of the commissioner, four hundred dollars, or so much thereof as may be necessary; for the expenses of the first and second deputies, their assistants, the mediator, the superintendent of licenses, the statisticians, the special agents and the deputy factory inspectors, seven thousand dollars or so much thereof as may be necessary.

For printing, including the expense of publishing bulletins, two thousand and sixty-four dollars, or so much thereof as may be necessary.

For the expenses of the free employment bureau in New York city, one thousand six hundred and seventy dollars, or so much thereof as may be necessary.

SOCIETY FOR THE REFORMATION OF JUVENILE DELINQUENTS, RANDALL'S ISLAND.

The sum of seven hundred and fifty dollars, being a portion of the unexpended balance of the appropriation of fifteen hundred dollars made by chapter two hundred eighty-two of the laws of

nineteen hundred, for raking out and repointing main walls, is hereby reappropriated for the rebuilding, repairing and restocking of greenhouses recently destroyed and injured by fire, and the payment of seven hundred and fifty dollars of said appropriation is hereby reappropriated for the purpose as originally indicated.

LUNACY COMMISSION.

For the support and maintenance of the state hospitals, other than salaries and wages of officers and employes, pursuant to the provisions of the insanity law and the amendments thereto, two hundred and fifty thousand dollars, or so much thereof as may be necessary, to be paid from the moneys received for board and care of private patients, sale of farm products and other miscellaneous receipts of said hospitals.

For the commission in lunacy to pay claim of Hardy, Voorhees and company for lumber, doors, blinds, and other supplies furnished to the Long Island state hospital in December, eighteen hundred ninety-nine and January, nineteen hundred, one thousand six hundred five dollars and thirty cents.

LIBRARIES.

For the library of the supreme court, appellate division of the second judicial department, the sum of one thousand dollars, or so much thereof as may be necessary, to be paid upon vouchers approved by the presiding justice of said court.

For the library of the supreme court, appellate division of the third judicial department, the sum of one thousand dollars, or so much thereof as may be necessary, to be paid upon vouchers approved by the presiding justice of said court.

For the second judicial district law library at Newburgh, for the purchase of law books and reports, necessary rebinding of books belonging to said library, one thousand dollars, or so much thereof as may be necessary, to be paid on bills therefor, certified by a majority of the trustees having charge of said library.

For the maintenance of the library of the appellate division and the trial terms of the supreme court in the first judicial department, two thousand dollars, or so much thereof as may be necessary.

For the fifth judicial district library at Utica, for the purchase of books and necessary rebinding of books belonging to said library, the sum of one thousand dollars, to be paid on presentation to the comptroller of vouchers verified by a majority of the trustees having charge of said library; for the sixth judicial district library at Elmira, for the purchase of books and necessary rebinding of books belonging to said library, the sum of one

thousand dollars to be paid on presentation to the comptroller of vouchers verified by a majority of the trustees having charge of said library.

For the third judicial district library at Kingston for law books and insurance premiums six hundred two dollars and fifty cents.

For the supreme court library for the eighth judicial district in the city of Buffalo, for the purchase of law books and reports, and necessary rebinding of books belonging to said library, the sum of one thousand dollars, to be paid on presentation to the comptroller of vouchers verified by a majority of the trustees having charge of such library.

For the library of the supreme court, appellate division, fourth judicial department, for the purchase of books and supplies for said library the sum of one thousand dollars, or so much thereof as may be necessary.

For deficiency in appropriation for the payment to the librarian of the law library of the appellate division of the supreme court, fourth judicial district, for the fiscal year ending September thirtieth, nineteen hundred and one, one hundred and forty-nine dollars and ninety-six cents, which amount is to be refunded pursuant to the provisions of chapter two hundred and ninety-eight of the law of nineteen hundred.

For the court of appeals library situate in the city of Syracuse for the purchase of books for said library the sum of one thousand dollars, or so much thereof as may be necessary, to be paid upon the presentation to the comptroller of vouchers approved by the majority of the trustees in charge of said library.

NATIONAL GUARD.

For the adjutant-general, to enable him to comply with sections thirty-eight, thirty-nine and forty, chapter sixteen of the general laws of the state, and to complete the personal records of the regiments, companies, troops, batteries and marines of this state which served in the late war for the Union, and for printing and binding the same in book form under the direction of the adjutant-general, the sum of twenty thousand dollars, or so much thereof as may be necessary.

For the adjutant-general, for the payment of pensions to members of the National Guard and Naval Militia and pay and care for the same when injured or disabled in service, pursuant to sections one hundred and twenty-nine and one hundred and thirty-two, chapter five hundred and fifty-nine, laws of eighteen hundred and ninety-three, and the acts amendatory thereof, and for payment of expenses and examinations of claims for pensions

under said act, the sum of eight thousand dollars, or so much thereof as may be necessary.

For the adjutant-general, for services and necessary traveling expenses in prosecuting war claims of the state against the United States, under his direction, six thousand dollars, or so much thereof as may be necessary.

For the adjutant-general for the purpose of furnishing to the military and naval organizations of the state the new state flag, two thousand eight hundred fifty-four dollars, or so much thereof as may be necessary.

For the adjutant-general, payable from the military record fund for the expenses of the bureau of military records, one thousand five hundred dollars, or so much thereof as may be necessary.

For the armory commission, for repairs, improvements and betterments of the state arsenals, armories, camp grounds and the rifle ranges at Creedmoor and throughout the state, the sum of forty thousand dollars, or so much thereof as may be necessary.

For the adjutant-general for the purpose of properly repairing and equipping the boat "United States steamship Restless" to be loaned by the federal authorities to the state of New York and to be stationed at Charlotte in Monroe county, the sum of eight thousand five hundred dollars, or so much thereof as may be necessary.

For the adjutant-general to enable him to prepare a suitable and permanent filing space for the records of the war of the rebellion and other expenses connected with the bureau of military records, to be paid from the military records fund, fifteen thousand dollars, or so much thereof as may be necessary.

For the state board of armory commissioners for the labor and material necessary to repair and improve the state armory located at Poughkeepsie which is chargeable to the state under the provisions of the military code and the act providing for the erection of said armory, the sum of five thousand six hundred and forty-nine dollars and sixteen cents, or so much thereof as may be necessary to complete the same except the loggia in accordance with the recommendations of the armory commission inspectors report thereon. No part of such appropriation shall be available except for plans, specifications and advertising, until a contract therefor according to said plans and specifications shall have first been made for the completion thereof within the sum appropriated, and the performance thereof secured by a satisfactory bond approved by the comptroller.

For the armory commission, for providing and furnishing a kitchen and other necessary repairs in the armory of the Twenty-third regiment in Brooklyn, twelve hundred dollars.

For the armory commission, for balance for repairs and betterments to the Olean armory, and for rewiring said armory in compliance with insurance requirements, two thousand one hundred eighty-one dollars, or so much thereof as may be necessary.

For the state board of armory commissioners for repairs, improvements and betterments to the state armory at Jamestown, the sum of six thousand dollars or so much thereof as may be necessary, to be expended under the direction of said board, the work to be done and the materials furnished, so far as practicable, upon contract, to be entered into with the lowest responsible bidder, after suitable advertisement.

For Powers, Bemis and Palmer balance expended upon the armory of the eighteenth separate company, the sum of five hundred and thirty-four dollars and thirteen cents.

For the adjutant-general for the payment of the advertising for the Geneva and Jamestown armories, seventy-one dollars and fifty-five cents.

STATE LEGISLATIVE PRINTING.

For the legislative printing of the state done pursuant to the contract therefor, and for the printing of five hundred copies of the report of the commissioners for the promotion of uniformity of legislation in the United States, as ordered by resolution of the assembly April sixth, nineteen hundred; and the printing of seven hundred copies of the annual report of the society for the preservation of scenic and historic places and objects, as ordered by resolution of the assembly April sixth, nineteen hundred; and the printing of thirty-two hundred copies of volumes three and four Clinton papers, of the third annual report of the state historian; and for the printing of one thousand copies of assembly bill three hundred and one, as ordered by resolution of the assembly January thirty-one, nineteen hundred and one; and the printing of fifteen hundred copies of assembly bill four hundred and seventy-seven, as ordered by resolution of the assembly January thirty-one, nineteen hundred and one; and the printing of three hundred copies of assembly bill one hundred and sixty-seven, as ordered by resolution of the assembly February seventh, nineteen hundred and one; and the printing of one thousand copies of the report of the superintendent of public buildings, as ordered by resolution of the assembly February seventh, nineteen hundred and one; and the printing of fifteen hundred copies of assembly bill twelve hundred and forty-seven, as ordered by resolution of the assembly February twenty-eighth, nineteen hundred and one; and the printing of twenty-five hundred copies of assembly bill seven hun-

dred and fifty-nine, as ordered by resolution of the assembly February twenty-eighth, nineteen hundred and one; and the printing of ten thousand copies of the proceedings of the memorial services in honor of the late Senator Parsons, as ordered by resolution of the senate February nineteen, nineteen hundred and one; and the printing of one thousand copies of senate bill nine hundred and seventy-three, as ordered by resolution of the senate March fourteen, nineteen hundred and one; and the print-senate March fourteen, nineteen hundred and one; and the balance due for the printing of the election laws for the secretary of state, ordered by chapter six hundred and thirty of the laws of eighteen hundred and ninety-nine; and the necessary binding and engraving therefor, all of which are hereby legalized and confirmed, and which shall have the same force and effect as if the work therein ordered had been ordered by statute; and such printing, binding, lithographing and engraving shall be deemed to have been ordered by statute, and shall be paid for at the amounts audited by the comptroller in accordance with the contract rate price fixed therefor in the contract for the legislative printing for the years in which such printing, lithographing and engraving was done, and the amount so audited and allowed shall be paid upon filing of the proper receipts in full for said items, the sum of one hundred and thirty thousand dollars, to apply on the present contract.

STATE BOARD OF CHARITIES.

For messenger and clerk of the Albany office for the fiscal year ending September thirtieth nineteen hundred two, seven hundred and twenty dollars.

STATE AND ALIEN POOR.

For clerk and stenographer for the fiscal year ending September thirtieth nineteen hundred two, six hundred dollars..

PRISONS.

For the superintendent of state prisons for Dannemora hospital for insane convicts, for maintenance for the year ending September thirtieth, nineteen hundred and one, ten thousand dollars; for additional furnishings, two thousand five hundred dollars; for draining, grading and improvement of grounds, fifteen hundred dollars; for balance of officers' salaries for the year ending September thirtieth, nineteen hundred and one, fourteen hundred dollars; for constructing and fencing airing court, five hundred dol-

lars; for interior painting and finishing, five hundred dollars, for books for library, five hundred dollars.

For the superintendent of state prisons for the salary for September, nineteen hundred, of the warden of the Eastern New York Reformatory, two hundred and ninety-one dollars and sixty-seven cents.

For the superintendent of state prisons, for supplying additional hospital accommodations at Clinton prison by altering the present chapel into hospital wards and providing a temporary chapel elsewhere, or by such other arrangement as the state architect may approve, the sum of twenty-five hundred dollars, or so much thereof as may be necessary.

For the superintendent of state prisons for the purchase of stone to be cut and dressed for use in the construction of the Dannemora State Hospital for Insane Convicts or state prison buildings, for tools and for instruction and guarding of convicts so employed, the sum of four thousand dollars.

For providing current literature for the several state prisons, the sum of two thousand dollars, or so much thereof as may be necessary, to be expended under the direction of the superintendent of state prisons.

For securing additional instruction in the several state prisons, three thousand six hundred dollars, or so much thereof as may be necessary, to be expended under the direction of the superintendent of state prisons.

For traveling expenses of the superintendent and his clerks while engaged in the discharge of their official duties, the sum of five hundred dollars, or so much thereof as may be necessary.

For salary of an additional stenographer in the office of the superintendent of state prisons, from April first to September thirtieth, nineteen hundred and one, the sum of five hundred dollars, or so much thereof as may be necessary.

For Clinton prison, for furniture and carpets for warden's house and administrative offices, the sum of three thousand dollars, or so much thereof as may be necessary.

For the board of classification, for stationery and office expenses, two hundred dollars, or so much thereof as may be necessary; for stenographic services, one hundred and fifty dollars, or so much thereof as may be necessary; for traveling expenses of the secretary and pricing committee, four hundred dollars, or so much thereof as may be necessary.

For the State reformatory at Elmira for reimbursement of officers' trust fund, three thousand dollars, or so much thereof as may be necessary.

PUBLIC INSTITUTIONS.**WILLARD STATE HOSPITAL.**

For the employment of clergymen at the Willard state hospital, the sum of one thousand dollars, or so much thereof as may be necessary, is hereby appropriated to be paid under the direction of the board of trustees from the appropriation for the state care of the insane.

SAINT JOSEPH'S INSTITUTE.

For Saint Joseph's institute for tuition and maintenance, for deficiency in appropriation of eighteen hundred and ninety-nine, sixty-four dollars and eleven cents.

NEW YORK WOMAN'S RELIEF CORPS HOME.

For the board of managers of the New York Woman's Relief Corps Home, out of the sum of six thousand one hundred dollars, being the unexpended balance appropriated by chapter five hundred and seventy of the laws of eighteen hundred and ninety-nine for maintenance, the sum of four thousand one hundred dollars or so much thereof as may be necessary is hereby reappropriated for the purpose of maintenance, and the sum of two thousand dollars or so much thereof as may be necessary, is hereby appropriated for the furnishing of the administration building upon estimates to be approved by the comptroller.

ALBANY HOME SCHOOL FOR THE DEAF.

For deficiency in appropriation for the support and instruction of pupils in the Albany Home school for the deaf for the fiscal year ending September thirtieth, nineteen hundred and one, seventeen hundred dollars, or so much thereof as may be necessary.

WESTERN NEW YORK INSTITUTION.

The sum of eight hundred and three dollars and fifty-five cents, being a portion of the unexpended balance of appropriation made by chapter five hundred and seventy, laws of eighteen hundred and ninety-nine, for the support and instruction of pupils at the Western New York Institution at Rochester, for the improved instruction of deaf-mutes, is hereby reappropriated for the same purpose, for the fiscal year ending September thirtieth, eighteen hundred and ninety-nine, or so much thereof as may be necessary.

NEW YORK STATE SOLDIERS AND SAILORS' HOME, BATH.

For deficiency on account of maintenance for the fiscal year ending September thirtieth, nineteen hundred and one, twenty thousand dollars, or so much thereof as may be necessary.

The sum of twelve hundred and seventy-eight dollars and eighty-seven cents, being the unexpended balance of an appropriation of twenty thousand dollars, made by chapter four hundred sixty-one laws of eighteen hundred ninety-nine, for the New York State soldiers and sailors' home at Bath, for assembly room for construction, is hereby reappropriated for the same purpose, and for furnishing the same.

THOMAS ASYLUM AT IROQUOIS.

For deficiency on account of maintenance for the fiscal year ending September thirtieth, nineteen hundred and one, the sum of two thousand dollars, or so much thereof as may be necessary.

WESTERN HOUSE OF REFUGE AT ALBION.

For deficiency on account of maintenance for the fiscal year ending September thirtieth, nineteen hundred and one, two thousand dollars, or so much thereof as may be necessary.

NEW YORK STATE REFORMATORY FOR WOMEN.

The sum of six hundred dollars, being a portion of the unexpended balance of the appropriation of twenty-five hundred dollars made by chapter six hundred and sixteen of the laws of eighteen hundred and ninety-nine for farm and other utensils, is hereby reappropriated for electric fixtures and completing necessary electrical work, or so much thereof as may be necessary, and the sum of eighteen hundred and thirty-five dollars, being a portion of the unexpended balance of the appropriation of twenty-five hundred dollars made by chapter six hundred and sixteen, laws of eighteen hundred and ninety-nine for farm and other utensils, is hereby reappropriated for the same purpose, or so much thereof as may be necessary.

MATTEAWAN STATE HOSPITAL.

For deficiency on account of maintenance for the fiscal year ending September thirtieth, nineteen hundred and one, ten thousand dollars, or so much thereof as may be necessary.

For the Matteawan State Hospital, to be expended under the direction of the superintendent of state prisons and upon plans

and specifications to be furnished for the construction by the state architect, so much of the following sums, as may be state architect, for a propagating and greenhouse, two thousand five hundred dollars; for fire-proof storage vault, nine hundred dollars; for guard room, five hundred dollars; for additional laundry machinery, three hundred dollars; for ward telephones, two hundred and fifty dollars; for fencing, drainage and farm improvements, one thousand dollars; for building roads and grading, five hundred dollars; for cement walks, five hundred dollars; and for constructing ice pond, one thousand dollars.

For the maintenance of state institutions to be paid from the moneys paid into the treasury of the state under section thirty-seven, chapter five hundred and eighty, laws of eighteen hundred and ninety-nine, so much of the following sums as may be and ninety-nine: For the State School for the Blind, Batavia, New York, two thousand dollars; for the Craig Colony, Sonyea, New York, eight thousand dollars; for the New York State Reformatory, Elmira, New York, ten thousand dollars; for the State Institution for Feeble-minded Children, Syracuse, New York, twelve thousand dollars; for the Matteawan State Hospital, eighty thousand dollars.

QUARANTINE COMMISSION.

For the commissioners of quarantine for the payment of the emergency expenditure incurred as provided by section eighty-three of the public health law, being chapter two hundred and sixty-eight of the laws of nineteen hundred, the sum of five thousand, one hundred and eighty-three dollars.

For the commissioners of quarantine to provide for the deficiency in the salaries and maintenance account for the fiscal year ending September thirtieth, nineteen hundred and one, ten thousand dollars, or so much thereof as may be necessary.

For the health officer of the port of New York for salaries of employes, care of grounds, repairs and maintenance of property at Fire island, two thousand five hundred dollars.

RAILROAD COMMISSION.

For the board of railroad commissioners, the sum of sixty-nine thousand seven hundred and twenty-six dollars and ninety cents, being the amount remaining unexpended in the state treasury of the appropriation made by chapter five hundred and seventy of the laws of eighteen hundred and ninety-nine, to carry out the provisions of the railroad law in regard to grade crossings, is hereby reappropriated.

The sum of one thousand dollars or so much thereof as may be necessary to be paid by the comptroller upon the certificate

of the attorney-general, and of the railroad commissioners, for the purpose of paying witness fees and other disbursements in proceedings and litigations for or on account of institutions under the supervision of the railroad commissioners, the same to be charged to, and repaid to the state by such corporations and in such proportion as the railroad commissioners shall deem just and reasonable.

SUPERINTENDENT OF PUBLIC BUILDINGS.

For painting and other incidental repairing necessary to the preservation of the buildings and premises in charge of the superintendent of public buildings, and to be expended in his discretion, the sum of five thousand dollars, or so much thereof as may be necessary.

For additional new flooring, painting, concreting, furnishing and further necessary labor and expenses, for the completion of the improvement and betterment of Geological and Agricultural hall, to be expended in the discretion of the superintendent of public buildings, with the approval of the state architect, the sum of four thousand five hundred dollars, or so much thereof as may be necessary.

For the repairing, improvement and renovation of the toilet room on the first floor, south side of the capitol, and the ladies' toilet room adjacent thereto, and for the necessary repairing of other toilet rooms in the capitol, the sum of two thousand six hundred dollars, or so much thereof as may be necessary.

For repairing the sidewalks and driveways about the executive mansion, and for furnishings to replace those worn out or broken, the sum of three thousand five hundred dollars, or so much thereof as may be necessary.

For raking out joints and calking and pointing up the same and for cleaning the granite work generally on the east, north and south approaches of the state capitol, the sum of three thousand dollars or so much thereof as may be necessary.

For compensation of the secretary to the trustees of public buildings, one thousand dollars.

For carpets and furnishings for the senate chamber, the lieutenant-governor's anteroom, the senate finance committee room, one passageway and three lobbies connected with the senate, the sum of four thousand two hundred dollars, or so much thereof as may be necessary.

For alterations, additions, building of cases and partitions, plumbing, decorating, furnishing, electric lighting and all other necessary labor and materials, to equip rooms in the state capitol for the state tax commission, the state commission of prisons, the fish, forest and game commission, the civil service commission,

and the state architect, made necessary by the consolidation of state departments, the sum of ten thousand dollars, or so much thereof as may be necessary.

For mezzanine floor, partitions, electric lighting, painting, plumbing and all other necessary labor and materials, in the office of the commissioner of agriculture, in the state capitol, in order to remove thereto from agricultural and geological hall, the offices of the state fair commission and the state bureau of farmers' institutes, the sum of fifty-one hundred dollars, or so much thereof as may be necessary.

For filing cases, shelving, double desks, painting, gas fixtures, partitions and all other necessary labor and materials to equip additional rooms in the State hall for the state comptroller and the state engineer and surveyor, and to remove the office of the state paleontologist from said rooms to Agricultural and Geological hall, the sum of forty-nine hundred and fifty dollars, or so much thereof as may be necessary.

For additional improvements to Agricultural and Geological hall, including the moving of exhibits thereto from State hall, mezzanine floor, new cases to ceilings, doors, plumbing, speaking tubes, bells, gas fixtures, changing mineral cases, cutting new windows, partitions, and all other necessary labor and materials, the sum of eighty-five hundred dollars.

For extending a mezzanine floor over the assembly elevators, in the state capitol, connected with the rear lobby of the assembly chamber, and raising the present cases therein, and all other necessary labor and materials, the sum of ten hundred and fifty dollars, or so much thereof as may be necessary.

SUPERINTENDENT OF PUBLIC WORKS.

The sum of ten thousand dollars, or so much thereof as may be necessary, is hereby appropriated from the canal fund to pay for the services and disbursements incurred by the agent employed by the superintendent of public works on the request of the attorney-general, as provided in section two hundred and seventy of the code of civil procedure, in defense of claims against the state on account of the canals, such sum to be advanced to said agent by the comptroller in such sums as may be approved by him upon such agent filing with the comptroller a good and sufficient bond in the penalty of ten thousand dollars, and vouchers shall be rendered for the advances made.

For the superintendent of public works, for the payment of stenographer, two hundred and forty dollars; for the payment of the assistant clerk of the western division, two hundred and forty dollars; and for the payment of messenger, one hundred

dollars, for the fiscal year ending September thirtieth, nineteen hundred and one, said sums being in addition to the sums provided for the stenographer, assistant clerk of the western division and messenger respectively by chapter four hundred and eighteen of the laws of nineteen hundred.

For the superintendent of public works, for repairs of highways on the Onondaga Indian Reservation to be expended under the direction of the superintendent of public works on the roads known as "Quarry," "Cardiff," "South Hollow," "William Hill," and "Albert Everingham" roads, and the road crossing Conmissary Brook, the sum of two thousand dollars, or so much thereof as may be necessary.

For continuing the construction of the new road on Onondaga Indian reservation running from Indian Quarry about four hundred and sixty rods southeasterly to intersect with the LaFayette road, three thousand dollars, or so much thereof as may be necessary.

For the superintendent of public works to widen the sidewalk of the bridge over the canal at Park avenue in the village of Mechanicville, five hundred dollars, or so much thereof as may be necessary.

For the superintendent of public works the sum of twenty-five thousand dollars, or so much thereof as may be necessary for the purpose of raising and completing in accordance with plans and specifications therefor prepared by the state engineer and surveyor, the Minetto dam, the High dam and the Oswego dam, all located on the Oswego river in Oswego county. No part of the sum herein appropriated shall be available except for necessary plans and advertising until a contract or contracts have been made for the completion of the work within the amount specified.

For the superintendent of public works, for the construction of a bridge over Black river at Pratt's Landing, between the towns of Grieg and Turin, in the county of Lewis, as provided by chapter six hundred and seventy, laws of nineteen hundred, in addition to the sum of sixteen thousand dollars appropriated by said chapter, three thousand dollars, or so much thereof as may be necessary.

For the superintendent of public works, the sum of one thousand five hundred dollars for the erection of an appropriate iron or steel foot bridge at Lyell avenue, in the city of Rochester, New York.

For the superintendent of public works, the sum of thirty-five hundred dollars, or so much thereof as may be necessary, for the purpose of erecting a dam on the Saint Regis river in the vicinity of Brasher Falls in the county of Saint Lawrence, for the protection of life and property and the prevention of the forming

of ice gorges, causing dangerous floods, in said river in said vicinity.

For the superintendent of public works for the repair and preservation of the public highway running along and near the north side of Oswegatchie river in the town of Edwards, the sum of two thousand, five hundred dollars, or so much thereof as may be necessary.

For the superintendent of public works for the purpose of dredging the inlet to Cayuga lake at or near the city of Ithaca, and for repairing the state pier on Cayuga lake at the mouth of Cayuga inlet, the sum of four thousand dollars, or so much thereof as may be necessary.

For the superintendent of public works to pay for repairs heretofore made by the commissioners of water power on Black river on state dams on Beaver river and Fulton Chain on vouchers satisfactory to the superintendent, and make necessary repairs to said dams, three thousand dollars, or so much thereof as may be necessary.

For the superintendent of public works for working and repairing the highways on the Cattaraugus Indian reservation in the towns of Collins and Brant in the county of Erie, one thousand dollars, or so much thereof as may be necessary.

For the superintendent of public works in addition to the sum appropriated by chapter six hundred nine of the laws of eighteen hundred ninety-eight, the unexpended balance of which is re-appropriated by chapter one hundred fifty-one of the laws of nineteen hundred for the purpose stated in said acts, the additional sum of three thousand dollars, or so much thereof as may be necessary for the completion of said work.

For the superintendent of public works for the repair of the highways on the St. Regis Indian reservation, the sum of three thousand dollars, or so much thereof as may be necessary, to be expended under the direction of the superintendent of public works.

For the repair of the highway, leading from Axton to Tupper lake, from Axton to the western line of Harriestown, the sum of two thousand dollars, or so much thereof as may be necessary, said money to be expended under the direction of the superintendent of public works.

For the commissioners of water power on the Black river, subject to the approval of the superintendent of public works for ordinary repairs and maintaining the state dams on Beaver river and the Fulton chain, one thousand dollars, or so much thereof as may be necessary.

For the superintendent of public works, for the operation, maintenance and repair of the drawbridge known as Drake's

drawbridge span of Wappinger creek, in the village of New Ham-burgh, in the county of Dutchess, for the year ending March first, nineteen hundred, as provided by chapter two hundred and thirty-nine of the laws of eighteen hundred and ninety-two, the sum of six hundred dollars, or so much thereof as may be necessary.

The sum of five thousand dollars, or so much thereof as may be necessary, is hereby appropriated to repair the highways, on the Allegany Indian Reservation, in the towns of Allegany, Carrollton, Elko, Salamanca, Red House, Great Valley, South Valley and Coldspring; and on the Cattaraugus Indian Reservation, in the towns of Perrysburg and Persia, in the county of Cattaraugus, said moneys to be expended under the direction of the superintendent of public works.

For the superintendent of public works for gravelling and repairing the highway known as Judges road, and for grading, gravelling and repairing the highway known as the Akron road upon the Tonawanda Reservation, the sum of fifteen hundred dollars, or so much thereof as may be necessary.

For the superintendent of public works in addition to the sum heretofore appropriated for the purpose, the sum of four thousand and twenty-one dollars, or so much thereof as may be necessary, for the purpose of repairing the sea wall at the foot of Owasco lake, repairing the retaining wall on Owasco outlet and dredging said outlet, including the purchase of the necessary implements and appliances, said work to be done and money expended upon plans and specifications prepared by the state engineer and surveyor.

For the superintendent of public works for the purchase and installing of gates at the canal bridge on Peterboro street in the village of Canastota, the sum of three hundred and fifty dollars, or so much thereof as may be necessary, said gates to be erected upon the condition that no expense shall attach to the state for their future maintenance and operation.

For the superintendent of public works for the enlarging of the sluices and the raising of the dyke along the Black river in the town of Denmark and the town of Croghan, the sum of six thousand dollars, or so much thereof as may be necessary, said work to be performed upon plans and specifications to be furnished by the state engineer and surveyor.

For the superintendent of public works for the cleaning of the channel of Black creek in the town of Chili from where the Genesee valley canal crosses said creek, west to Brown bridge, said work to be done upon plans and specifications to be prepared by the state engineer and surveyor, the sum of twenty-five hundred dollars or so much thereof as may be necessary.

For the superintendent of public works, the sum of eight hun-

dred and fifty dollars, or so much thereof as may be necessary, for the construction of sewer to drain the dry dock at lock number sixty-six of the Erie canal.

For the superintendent of public works for the construction of a bridge over the Erie canal at Warren street in the city of Syracuse at a cost not to exceed twenty thousand dollars, the sum of ten thousand dollars or so much thereof as may be necessary. No part of the money hereby appropriated shall be available until the sum of five thousand dollars has been deposited by the city of Syracuse, and the sum of five thousand dollars has been deposited by the Syracuse Rapid transit railway company in a bank approved by the superintendent of public works for the purposes herein specified; and no part of the money hereby appropriated shall be available until a contract for the completion of said bridge, specifications and advertising shall have been made with a responsible bidder, and the performance thereof secured by a sufficient bond approved by the comptroller and filed in his office.

For the superintendent of public works for the purpose of cleaning out the ditch east of Manlius Center, three hundred dollars or so much thereof as may be necessary.

To the superintendent of public works, for the purpose of building retaining wall and filling in on the north side cut of the Oswego canal in Syracuse at a point known as Spring street with the culvert under the same, on plans and specifications prepared by the state engineer, sixteen hundred dollars or so much thereof as may be necessary.

For the superintendent of public works, the sum of five thousand dollars, or so much thereof as may be necessary, to restore, repair and protect the work done along the channel of Newtown creek under chapter nine hundred and forty-nine of the laws of eighteen hundred and ninety-six and acts supplemental thereto, by the removal of bars and the construction of earth and timber dykes from the Lehigh Valley railroad bridge northerly along said bridge.

For Olmstead Brothers, landscape architects, Brookline, Massachusetts, for professional services in connection with providing plans for the capitol grounds, including time of assistants in preparing plans, prints and materials, and traveling expenses in connection therewith, to be paid by the treasurer on the order of the superintendent of public works, three hundred and thirty-five dollars and eighty-five cents.

STATE RESERVATION AT NIAGARA.

For the commissioners of the state reservation at Niagara for the extraordinary expenditures during the year nineteen hundred and one, for care and maintenance made necessary by the

Pan-American exposition, the sum of twenty thousand dollars, or so much thereof as may be necessary; for the filling, grading and putting in order the grounds adjacent to the new stone arch bridges, the sum of four thousand dollars; for electrical installation for lighting grounds and buildings, seven thousand dollars; for installing system of water pipes, fixtures and connections for grounds and buildings, six thousand, five hundred dollars; for the completion and furnishing of the shelter building, three thousand dollars; for bridge to Horseshoe falls and Terrapin point, one thousand dollars; for grading and tree planting, one thousand dollars or so much thereof as may be necessary.

STATE ARCHITECT.

For the state architect to cover deficiency in clerical services and office expenses of the department for the fiscal year ending September thirtieth, nineteen hundred and one, the sum of two thousand dollars, or so much thereof as may be necessary.

STATE FAIR COMMISSION.

For the state fair commission for the payment of premiums at the state fair to be held in the year nineteen hundred and one, the sum of twenty-five thousand dollars.

MISCELLANEOUS.

For the department of the Grand Army of the Republic, for incidental office expenses, including postage, printing, telegraph and telephone charges, the sum of twelve hundred dollars, or so much thereof as may be necessary.

For the New York commission for the battle fields of Gettysburg and Chattanooga the sum of nine thousand five hundred and four dollars, for the payment of the engineer and secretary and necessary employes and for such other expenses as may be required for the work of the said commission including actual and necessary traveling and other contingent expenses incurred by the said commissioners in the discharge of their duties and for compensation for their services, as provided for in section six of chapter three hundred and seventy-one of the laws of eighteen hundred and ninety four and the provisions of chapter two hundred and sixty-nine of the laws of eighteen hundred and eighty-seven.

For the New York commission for the battle fields of Gettysburg and Chattanooga, the sum of five thousand dollars, to be expended as provided by chapter one hundred and ninety-six of the laws of nineteen hundred; and the sum of twenty thousand dollars, or so much thereof as may be necessary, in ad-

dition to the amount heretofore appropriated for the purpose of erecting suitable monuments, memorial structures and markers to the memory of the soldiers from the state of New York, who were engaged in the military operations around Chattanooga, said money to be paid by the treasurer upon the warrant of the comptroller upon proper vouchers duly certified by the presiding officer of the board of commissioners.

For the health officer of the port of New York, for defraying the expenses of the bacteriological laboratory and quarantine station, including tests in the diagnosis of typhoid fever, to be made in the laboratory when requested by medical practitioners within the boundaries of this state free of any charge, eight thousand five hundred dollars, or so much thereof as may be necessary.

For John F. Connor, the sum of nine hundred dollars, or so much thereof as may be necessary, to be paid upon itemized statement, duly verified, after audit and allowance by the comptroller, in full for services rendered to the board of managers of Craig Colony, as counsel in the matter of the awarding of the contracts, preparing bids, advertisements and bonds and the adjustment of differences with the contractors; and the conducting of the negotiations and preparation of papers in the exchange of real estate with the Western New York and Pennsylvania railroad company, together with the necessary traveling expenses in connection with these matters.

To the comptroller, for the payment of the claim of the Milliken Imprinting company, for taxes erroneously paid into the treasury July twenty-fourth, nineteen hundred, under the corporation tax law, the sum of forty-nine dollars and fifty cents.

For the payment for animals killed by reason of the provisions of the health law under the tuberculosis provisions thereof, eight hundred thirty-six dollars and seventy-five cents, to be paid as follows: Daniel Hoyt, twenty dollars; W. B. Cleves, twenty dollars; T. B. Merchant, forty-five dollars; Thomas Eggleston, forty-five dollars; Dennis Sullivan, one hundred dollars; Jerry Doyle, sixty-two dollars and fifty cents; T. S. Hulse, three hundred and twenty-five dollars and fifty cents; William Marshall, twenty dollars; Chris Shafer, twenty-three dollars and fifty cents; Daniel Wingert, one hundred and fifty-seven dollars and seventy-five cents; Jacob Pfendler seventeen dollars and fifty cents; and for the payment for animals killed by reason of the provisions of the health law, by reason of glanders, the sum of ninety dollars, to be paid as follows: W. E. Blanding and company, forty dollars; W. W. Oliver, fifty dollars.

For Richard R. McMahon, the sum of fifteen hundred dollars, as counsel for the state of New York, upon the remand to the court of claims by the United States supreme court determining

the right of the state to an allowance for interest and so forth; the said sum to be paid upon an itemized statement, duly verified, and upon audit by the comptroller and the filing of a receipt in full for all claims for services against the state.

For William B. Gere, for refund of money paid into the treasury April second, eighteen hundred and ninety-six, for certain lands in the city of Syracuse, New York, on account of the failure of the state's title thereto, and for interest on same, the sum of one thousand one hundred and thirty-two dollars and twenty-one cents, or so much thereof as may be necessary, said refund having been made by the commissioners of the land office pursuant to section five, chapter three hundred and seventeen, laws of eighteen hundred and ninety-four.

For the canal board, for the purpose of paying witness fees and expenses in the proceedings had before such board in the settlement, adjustment and termination of unfinished and completed contracts for the improvement of the canals, the sum of one thousand dollars, or so much thereof as may be necessary, to be paid upon the audit of said canal board.

For the county of St. Lawrence on account of monies erroneously paid into the state treasury from penalties collected for violation of the agricultural law, twenty-five dollars.

For the South Canton creamery company of the town of Canton, the sum of twenty-five dollars on account of monies erroneously paid into the state treasury from monies collected for violations of the agricultural law.

For Abram Church, the sum of fifty dollars, being for monies paid for violation of the agricultural law in excess of the legal penalty.

For Ellen Cotter, the sum of fifty dollars, being for monies paid for violation of the agricultural law in excess of the legal penalty.

To the New York commission for the battle fields of Gettysburg and Chattanooga, the sum of thirty-six thousand dollars, or so much thereof as may be necessary, for the purpose of paying for twelve thousand copies of the final report of the said commissioners, "New York at Gettysburgh," to be distributed as follows: To each senator of the senate of nineteen hundred one and two, sixty copies, to each member of assembly for the year nineteen hundred one, thirty copies, and the remainder to be distributed by said commission to New York troops who participated in the battle of Gettysburgh; provided however, that this appropriation shall not be available, nor any work performed on account thereof until the state legislative printer shall have filed with the comptroller an agreement to furnish the books herein provided for, within the appropriation hereby made for the same.

To the local board of managers of the Fredonia state normal and training school for the purpose of reimbursing their maintenance fund for the amounts expended by them in the renting and equipping of temporary quarters in the village of Fredonia made necessary by the destruction of the school building by fire, and for the expenses connected with the recovery of the bodies of the students burned in said fire, and their burial, twenty-eight hundred dollars, or so much thereof as may be necessary payable by the state comptroller upon bills audited and approved by the state superintendent of public works.

To Clarence F. Birdseye, for services and disbursements as counsel for James T. Anyon, one of the board of examiners of certified public accountants, in proceedings before the attorney-general on the petition and amended petition of Frank Broaker for leave to bring an action in the name of the people of the state of New York against said James T. Anyon to oust him from said office of examiner of certified public accountants, and also for the services and disbursements of said Birdseye as counsel for said Anyon in the action subsequently brought in Kings county, by leave of the attorney-general, to oust said Anyon from said office, and to continue said Broaker as one of the board of examiners of certified accountants, five hundred dollars.

For the care and treatment in full to May first, nineteen hundred and one of indigent residents of the state of New York at the Pasteur institute of the city of New York, the sum of three thousand dollars, or so much thereof as may be necessary, to be paid upon the rendering and receipting in full of accounts therefor, after due audit by the comptroller.

To the comptroller for the payment of the claim of the L. E. Waterman company for taxes deposited with the treasurer pursuant to statute, which were subsequently determined by the appellate court to be erroneously paid, the sum of nine hundred and forty dollars and ninety-five cents, **and for the costs as taxed** by the court against the state the sum of one hundred and twenty dollars and ninety-five cents.

For salary of superintendent of Onondaga salt springs as provided by chapter twenty-seven, laws of eighteen hundred and ninety-eight, fifteen hundred dollars.

For Mrs. Francis W. Parsons, widow of the late Cornelius R. Parsons, senator from the forty-third district, the sum of fifteen hundred and forty-seven dollars, being the salary and mileage of her deceased husband for the year nineteen hundred and one, said amount to be paid from the appropriation made by chapter four hundred and eighteen, laws of nineteen hundred, for compensation and mileage of officers and members of the legislature.

To the legal representatives of the estate of W. H. Wilson, the sum of six hundred and thirty dollars, being the balance of the salary due to the late W. H. Wilson, member of assembly from the ninth New York district, said amount to be paid from the appropriation made by chapter four hundred and eighteen, laws of nineteen hundred, for the compensation and mileage of officers and members of the legislature.

For the state commission in lunacy, the sum of two thousand, six hundred and seventy-seven dollars and forty-two cents, or so much thereof as may be necessary, is hereby appropriated for the payment of such sum as shall be by them found owing to A. Pasquini for the work, labor and material actually furnished and performed in taking down the wall and foundation of the boiler house at Ward's island and the rebuilding of the same; said sum to be paid out of the moneys appropriated for building, repairs and improvements of the state hospitals.

For the care and improvement of the Clinton house at Poughkeepsie, two hundred dollars, or so much thereof as may be necessary.

For the extraordinary repairs and ordinary maintenance of the senate house at Kingston, the sum of five hundred dollars, or so much thereof as may be necessary.

For necessary repairs of Grant Cottage on Mount MacGreggor, for the care and improvement of the grounds surrounding the same, and the necessary work on the driveway leading thereto, one hundred fifty dollars, or so much thereof as may be necessary.

To the secretary of the constitutional convention of eighteen hundred and ninety-four, for the reading of the proof and the revision of the debates of the constitutional convention, the sum of one thousand dollars.

For the better attainment of the objects of the appropriation hereinafter mentioned, the superintendent of public works is hereby authorized to apply the sum appropriated by chapter four hundred nineteen of the laws of nineteen hundred for the improvement of the Shinnecock canal, or so much thereof as may be necessary to the improvement of said canal the digging of an outlet from Shinnecock bay to the Atlantic ocean, the removal of bars and the construction of controlling tide gates, or locks in said canal, and in the canal leading west out of said bay.

For the trustees of Washington's headquarters at Newburgh for the completion of the iron fence and the grading of the ground under their care, the sum of five thousand five hundred dollars, or so much thereof as may be necessary.

No manager, trustee or other officer of any state, charitable or other institution receiving moneys under this act from the state treasury for maintenance and support shall be individually interested in any purchase, sale or contract made by any officer for any of said institutions.

All charitable institutions, reformatories, houses of refuge and the state industrial school, receiving moneys under this act, shall file with the comptroller on or before the twentieth of October of each year, a certified inventory of all articles of maintenance on hand at the close of the preceding fiscal year, naming in such inventory the kind and amount of such articles of maintenance.

The comptroller is hereby authorized and empowered to devise a form of accounts to be observed in every state charitable institution, reformatory, house of refuge, state industrial school, or department receiving moneys under this act, which shall be accepted and followed by such institutions and departments after thirty days' notice thereof has been submitted to them by the comptroller, and such form of accounts shall include such a uniform method of bookkeeping, filing and rendering of accounts as may insure a uniform method of purchase of like articles whether by weight, measure or otherwise, as the interest of the public service requires. Such form shall also include a uniform rate of allowance in reporting in such institutions and departments, the amount in value of all produce and other articles of maintenance raised upon lands of the state, and which may enter into the maintenance of such institutions or departments.

It shall be the duty of the clerk or bookkeeper in each state charitable institution, reformatory, house of refuge, state industrial school or any state department receiving moneys under this act, to receive and examine all articles purchased by the proper officer or received for the maintenance thereof, to compare them with the bill therefor, to ascertain whether they correspond in weight, quantity and quality, and to inspect the supplies thus received; and the said clerk or bookkeeper shall also enter each bill of goods thus received in the book of the institution or department in which he is employed at the time of the receipt of the articles; and if any discrepancy is found between such bill and the articles received, he shall make a note thereof, whether it be in weight, quality or quantity, and no goods or other articles of purchase, or farm or garden products of lands of the institution, shall be received unless an entry thereof be made in the book of accounts of the institution, with the proper bill, invoice or mention, according to the form of account and record prescribed by the comptroller.

In accounts for repairs or new work not done under contract provided for in this act the name of each workman, the number

of days he is employed, and the rate and amount of wages paid to him shall be given. If contracts are made for repairs or new work, or for supplies, duplicates thereof, with specifications, shall be filed with comptroller.

Moneys herein appropriated for the repair, improving, furnishing or building of state institutions or for the purchase or improvement of the grounds or for labor, salaries or maintenance shall only be advanced to the several boards of managers of state institutions as the work progresses or the purchase is made and upon bills duly certified, rendered and audited.

§ 2. This act shall take effect immediately.

Mr. Allds moved to non-concur in the Senate amendments, and request a committee of conference thereon, and that a committee of conference thereon be appointed on the part of the Assembly.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Allds, and it was determined in the affirmative.

Mr. Speaker appointed as such committee on the part of the Assembly Messrs. Allds, Kelsey, Costello, Frisbie and Kelly.

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have non-concurred in the amendments of the Senate thereto, and request the appointment of a committee of conference thereon and have appointed a committee on the part of the Assembly.

The Senate returned the following entitled Senate bills, with a message that they have concurred in the amendments of the Assembly made thereto:

"An act to amend chapter 18 of the Laws of 1862, entitled 'An act to revise the charter of the city of Utica' and the acts amendatory thereof and supplementary thereto, relative to the tax budget, etc." (No. 842, Assembly reprint No. 2483, Rec. No. 173.)

"An act to provide for the appointment of a commissioner of jurors and to provide for a special jury in civil and criminal actions in each county of the State having a population of one million or more, according to the last preceding federal census." (No. 1086, Assembly reprint No. 2176, Rec. No. 272.)

"An act to make the office of sheriff of Essex county a salaried office, in part, and to regulate the management thereof." (No. 1337, Assembly reprint No. 2525, Rec. No. 383.)

Ordered, That the Clerk return said bills to the Senate.

A communication was received from Hon. Robert A. Van Wyck, mayor of the city of New York, returning Assembly bill (No. 1797) entitled "An act to amend the Civil Service Law, in relation to the exempt class" (Int. No. 940), with a message that said mayor and the common council of said city, after a public hearing thereon, do not approve said bill and do not accept the same.

Mr. Speaker stated the question to be "Shall this bill become a law, notwithstanding the objection of the mayor of the city of New York thereto?" and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

{ AYES 104,
{ NOES 44 }

Those who voted in the affirmative, were

Adams	Coons	Griffith	Nye	Seymour
Adler	Costello	Hallock	O'Brien	Sherer
Ahern	Cotton	Hammond	O'Malley	Smith A R
Allds	Coughtry	Hanford	Orr	Smith J L
Allston	Darrison	Harris	Patton	Smith J T
Apgar	Davis	Hatch	Phillips	Smith S W
Axtell	DeGraw	Henry	Phipps	Smith W H
Babcock	Dickinson	Hitchcock	Plank	Snyder
Baker	Doughty	Irwin	Platt	Stevens
Bedell	Dusinbery	Kelsey	Price	Swarts
Bell	Ellis	Knipp	Rainey	Swift
Bennet	Everett	Landon	Remsen	Thorn
Blackwell	Fancher	Leggett	Reynolds	Traub
Brill	Fish	Lewis M E	Roberts	Treat
Brooks	Fisher	Lewis T D	Robinson	Vacheron
Bryan	Fordyce	Mains	Rodenbeck	Waite
Burnett	Fowler	Mansfield	Rogers	Walrath
Cadin	Galbraith	Marson	Ross	Weber
Conger	Gardiner R	McMillan	Ruehl	Weekes
Cook	Gardner C J	McQuade	Salyerds	Wilson H
Cooley	Graeff	Morgan	Schneider	

Those who voted in the negative, were

Baum	Duross	Hawkins	Mathews	Rider
Bradley	Egan	Holsten	McInerney	Rierdon

Bruckner	Fitzgerald	Honeck	McKeown	Scanlon
Burns	Fitzpatrick	Hyman	Meister	Scanlon
Daly	Frisbie	Juengst	O'Connell	Smith J E
Delaney	Geoghan	Kaiser	Poth	Sullivan
Dempsey	Halpin	Keenan	Prince	Ulmann
Dickey	Harburger	Kelly	Reilley	Van Name
Dooling	Hasenflug	Lynn	Richter	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

A communication was received from Hon. Michael J. Dillon, mayor of the city of New Rochelle, returning Assembly bill (No. 1777) entitled "An act to amend the charter of the city of New Rochelle, providing for the election of a comptroller, etc." (Int. No. 1119), with a message that said mayor and the common council of said city, after a public hearing thereon, do not approve said bill and do not accept the same.

Mr. Speaker stated the question to be "Shall this bill pass notwithstanding the objections of the mayor and the common council, the legislative body of said city of New Rochelle thereto?" and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

{ AYES 104 }
{ NOES 44 }

Those who voted in the affirmative, were

Adams	Coons	Griffith	Nye	Seymour
Adler	Costello	Hallock	O'Brien	Sherer
Ahern	Cotton	Hammond	O'Malley	Smith A R
Allds	Coughtry	Hanford	Orr	Smith J L
Allston	Darrison	Harris	Patton	Smith J T
Apgar	Davis	Hatch	Phillips	Smith S W
Axtell	DeGraw	Henry	Phipps	Smith W H
Babcock	Dickinson	Hitchcock	Plank	Snyder
Baker	Doughty	Irwin	Platt	Stevens
Bedell	Businbery	Kelsey	Price	Swarts
Bell	Ellis	Knipp	Rainey	Swift
Bennet	Everett	Landon	Remsen	Thorn
Blackwell	Fancher	Leggett	Reynolds	Traub

Brill	Fish	Lewis M E	Roberts	Treat
Brooks	Fisher	Lewis T D	Robinson	Vacheron
Bryan	Fordyce	Mains	Rodenbeck	Waite
Burnett	Fowler	Mansfield	Rogers	Walrath .
Cadin	Galbraith	Marson	Ross	Weber
Conger	Gardiner R	McMillan	Ruehl	Weekes
Cook	Gardner C J	McQuade	Salyerds	Wilson H
Cooley	Graeff	Morgan	Schneider	

Those who voted in the negative, were

Baum	Duross	Hawkins	Mathews	Rider
Bradley	Egan	Holsten	McInerney	Rierdon
Bruckner	Fitzgerald	Honeck	McKeown	Sanders
Burns	Fitzpatrick	Hyman	Meister	Scanlon
Daly	Frisbie	Juengst	O'Connell	Smith J E
Delaney	Geoghan	Kaiser	Poth	Sullivan
Dempsey	Halpin	Keenan	Prince	Ulmann
Dickey	Harburger	Kelly	Reilley	Van Name
Dooling	Hasenflug	Lynn	Richter	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent:

Mr. Fisbie offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on rules be discharged from the further consideration of the bill (No. 1848) entitled "An act to regulate the selection and appointment of trustees and managers of charitable, correctional and eleemosynary institutions" (Int. No. 1343), and that said bill be placed on the order of second reading.

Mr. Speaker put the question whether the House would agree to said resolution and it was determined in the negative.

{ AYES 44 }
{ NOES 104 }

Those who voted in the affirmative, were

Baum	Duross	Hawkins	Mathews	Rider
Bradley	Egan	Holsten	McInerney	Rierdon
Bruckner	Fitzgerald	Honeck	McKeown	Sanders
Burns	Fitzpatrick	Hyman	Meister	Scanlon
Daly	Frisbie	Juengst	O'Connell	Smith J E
Delaney	Geoghan	Kaiser	Poth	Sullivan

Dempsey	Halpin	Keenan	Prince	Ulmann
Dickey	Harburger	Kelly	Reilley	Van Name
Dooling	Hasenflug	Lynn	Richter	

Those who voted in the negative, were

Adams	Coons	Griffith	Nye	Seymour
Adler	Costello	Hallock	O'Brien	Sherer
Ahern	Cotton	Hammond	O'Malley	Smith A R
Allds	Coughtry	Hanford	Orr	Smith J L
Allston	Darrison	Harris	Patton	Smith J T
Apgar	Davis	Hatch	Phillips	Smith S W
Axtell	DeGraw	Henry	Phipps	Smith W H
Babcock	Dickinson	Hitchcock	Plank	Snyder
Baker	Doughty	Irwin	Platt	Stevens
Bedell	Dusinbery	Kelsey	Price	Swarts
Bell	Ellis	Knipp	Rainey	Swift
Bennet	Everett	Landon	Remsen	Thorn
Blackwell	Fancher	Leggett	Reynolds	Traub
Brill	Fish	Lewis M E	Roberts	Treat
Brooks	Fisher	Lewis T D	Robinson	Vacheron
Bryan	Fordyce	Mains	Rodenbeck	Waite
Burnett	Fowler	Mansfield	Rogers	Walrath
Cadin	Galbraith	Marson	Ross	Weber
Conger	Gardiner R	McMillan	Ruehl	Weekes
Cook	Gardner C J	McQuade	Salyerds	Wilson H
Cooley	Graeff	Morgan	Schneider	

Mr. Dickinson offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That Assembly bill (No. 1275, Senate reprint No. 1197) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Maria A. Benedict, as administratrix of the goods, chattels, credits and personal property of Archibald W. Benedict, deceased, against the State of New York, for damages for the death of the said Archibald W. Benedict, deceased" (Rec. No. 241), be returned to the Governor.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

The Senate returned the concurrent resolution asking the return to the Governor of Assembly bill (No. 1275, Senate reprint

No. 1197) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Maria A. Benedict, as administratrix of the goods, chattels, credits and personal property of Archibald W. Benedict, deceased, against the State of New York, for damages for the death of the said Archibald W. Benedict, deceased" (Rec. No. 241), with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said bill to the Governor.

Mr. Griffith offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That Assembly bill (No. 152) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the claim of Barbara Eyer Schaub, executrix and legatee under the last will and testament of Jacob Schaub, deceased, against the State of New York, for money deposited by said Jacob Schaub in P. R. Westfall's bank at Lyons, to the credit of the auditor of the canal department, and lost by a failure of said bank" (Int. No. 152), be returned to the Governor.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. T. D. Lewis offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That Assembly bill (No. 1219) entitled "An act authorizing the Court of Claims to hear and determine the alleged claims against the State for damages, permanent or otherwise, arising from the rebuilding and raising the dam at Oswego Falls in the Oswego river" (Int. No. 1004), be returned to the Governor.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

The Senate sent for concurrence a resolution, in the words following:

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return of Senate bill No.

1048, entitled "An act to amend chapter 134 of the Laws of 1891, entitled 'An act to incorporate the Church Insurance Association'" (Rec. No. 788), for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

Also, the following:

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return of Senate bill No. 1165, entitled "An act to amend the Insanity Law, known as chapter 545 of the Laws of 1896" (Rec. No. 347), for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

Also, the following:

Resolved (if the Assembly concur), That Senate bill No. 1116, entitled "An act to amend the Forest, Fish and Game Law, relative to powers of game protectors" (Rec. No. 274), be returned to the Governor.

Mr. Allds moved that said resolution be referred to the committee on rules.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Also, the following:

Resolved, That a respectful message be sent to the Assembly, requesting the return of Assembly bill No. 2171, entitled "An act to amend the State Charities Law, relating to the transfer of inmates to the penitentiary or Elmira or Eastern New York reformatories" (Int. No. 487), for the purpose of amendment.

Mr. Allds moved that said resolution be referred to the committee on rules.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Also, the following:

Resolved (if the Assembly concur), That a respectful message be sent to the Assembly, requesting the return to the Senate of Assembly bill No. 1266, Senate reprint No. 1446, entitled "An act to amend the Forest, Fish and Game Law, relative to Mongolian ring-necked and English pheasants, in the county of Suffolk" (Rec. No. 504), for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the request of the Senate.

A communication was received from Hon. Robert A. Van Wyck, mayor of the city of New York, returning Assembly bill No. 2158, entitled "An act to empower the board of revision and correction of assessments in the city of New York, in its discretion to ascertain and determine the damages to the real property of Mary J. Brown on Nelson avenue, caused by the changing of the original grade of said Nelson avenue at One Hundred and Seventieth street, in said city, borough of Bronx, and award damages to her to the extent her said real property may have depreciated in value in consequence thereof" (Int. No. 263), with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

Mr. H. Wilson offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That Assembly bill (No. 98) entitled "An act to amend section 10 of chapter 418 of the Laws of 1897, entitled 'An act in relation to liens constituting chapter 49 of the general laws,' in relation to the filing of notice of lien" (Int. No. 98), be returned to the Governor.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

The Senate returned to concurrent resolution ordering the return to the Governor of Assembly bill (No. 98) entitled "An act

to amend section 10 of chapter 418 of the Laws of 1897, entitled 'An act in relation to liens, constituting chapter 49 of the general laws,' in relation to the filing of notice of lien " (Int. No. 98), with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said bill to the Governor.

Mr. Speaker presented the fourteenth annual report of the Mohawk and Hudson River Humane Society, which was laid upon the table and ordered printed.

(See Document.)

The Senate returned the bill (No. 647) entitled "An act to amend chapter 764 of the Laws of 1900, entitled 'An act providing for the opening, extending, laying out and improving of Bedford avenue, in the borough of Brooklyn, in the city of New York,' relative to the apportionment of the cost thereof " (Int. No. 193), with a message that said bill was again duly passed, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, the President stating the question to be, " Shall this bill pass notwithstanding the objection of the mayor of the city of New York thereto."

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the following entitled bills:

"An act to amend the Forest, Fish and Game Law, in relation to the close season for striped bass in the Hudson river." (No. 896, Senate reprint No. 1450, Int. No. 779.)

"An act to amend the Forest, Fish and Game Law, in relation to mink, skunk, muskrat and foxes." (No. 1556, Senate reprint No. 1489, Int. No. 277.)

"An act to amend the Forest, Fish and Game Law, relative to fishing with nets in Lake Erie." (No. 1552, Senate reprint No. 1451, Int. No. 166.)

"An act to amend the Tax Law, relating to taxable transfers and particularly to exceptions and limitations thereunder." (No. 1538, Senate reprint No. 1516, Int. No. 172.)

"An act to make the office of sheriff of Delaware county a salaried office in part, and to regulate the management of said office." (No. 2059, Senate reprint No. 1402, Int. No. 1454.)

"An act to release the interest of the people of the State of New York in the lands of which Jacob Froelich died seized to

William Eigenbrod, subsequent grantee of Elizabeth Froelich, widow of said Jacob Froelich." (No. 1808, Senate reprint No. 1297, Int. No. 650.)

"An act to amend the Forest, Fish and Game Law, relative to set lines for fishing." (No. 2170, Senate reprint No. 1449, Int. No. 1352.)

"An act to amend chapter 700 of the Laws of 1895, entitled 'An act to extend the time of commencement or construction or completion of railroads other than street surface railroads,' in relation to certificates of board of railroad commissioners." (No. 1547, Senate reprint No. 1488, Int. No. 964.)

"An act to amend the Tax Law, relative to property exempt from taxation." (No. 1917, Senate reprint No. 1397, Int. No. 1280.)

"An act to amend the Forest, Fish and Game law in relation to the close season for squirrels, hares and rabbits and grouse in certain counties." (No. 1771, Senate reprint No. 1517, Int. No. 757.)

"An act making appropriations for the New York State Reformatory at Elmira or the Elmira Reformatory, and reappropriating moneys appropriated by chapter 359 of the Laws of 1900 for some of the same purposes." (No. 1616, Senate reprint No. 1376, Int. No. 1054.)

"An act making an appropriation for the completion, construction, improvements to grounds, and repair of certain buildings of the New York State Soldiers and Sailors' Home at Bath." (No. 2285, Senate reprint No. 1496, Int. No. 427.)

"An act to amend the Forest, Fish and Game Law, relative to close season for grouse." (No. 2165, Senate reprint No. 1452, Int. No. 1104.)

"An act making an appropriation for the Syracuse State Institution for Feeble-Minded Children." (No. 1821, Senate reprint No. 1499, Int. No. 1091.)

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the following entitled bills with a message that they have concurred in the passage of the same without amendment:

"An act to amend section 154 of chapter 143 of the Laws of 1892, entitled 'An act to incorporate the city of Niagara Falls,'

and the acts amendatory thereof and supplemental thereto, relative to the issuing of bonds by the board of education and their payment." (No. 2547, Int. No. 1676.)

"An act to amend chapter 451 of the Laws of 1867, entitled 'An act to incorporate the village of Mayville, in the town of Chautauqua, county of Chautauqua, and to repeal its present charter,' in relation to the amount of the annual village tax." (No. 1936, Int. No. 1391.)

"An act to amend the Real Property Law in relation to the form of acknowledgments and proofs in foreign countries." (No. 2100, Int. No. 1335.)

"An act regulating tolls to be charged by turnpike, plank road or toll road companies exercising corporate franchises wholly or partly within the county of Onondaga for automobile trucks or carriages drawn or propelled over their carriage roads." (No. 2402, Int. No. 1612.)

"An act to amend section 447 of the Code of Civil Procedure, relative to party defendants." (No. 1073, Int. No. 60.)

"An act to amend section 1, title 9 of chapter 556 of the Laws of 1894, entitled An act to revise, amend and consolidate the general acts relating to public instruction." (No. 2237, Int. No. 1527.)

"An act to amend chapter 451 of the Laws of 1900, relating to the establishment of water districts in towns." (No. 2132, Int. No. 669.)

"An act to establish a commission for the maintenance and operation of the municipal electric light plant of the village of Green Island, Albany county, N. Y." (No. 2188, Int. No. 1041.)

"An act to amend the Labor Law, relating to public laundries." (No. 1664, Int. No. 290.)

"An act making an appropriation for the quarantine stations at Hoffman and Swinburne islands." (No. 2056, Int. No. 1451.)

"An act to amend the Railroad Law in relation to the acquisition of property by street surface railroad corporations." (No. 2321, Int. No. 1575.)

"An act in relation to the admission of citizens of this State to the examinations of the State Board of Law Examiners." (No. 1762, Int. No. 1318.)

"An act to confirm the acts of certain public officers." (No. 2276, Int. No. 1554.)

"An act to provide for the construction of a sewerage system for the State normal school in the village of Brockport, Monroe county, and making an appropriation therefor, and authorizing the connection of such sewerage system with the proposed system for the village of Brockport." (No. 1906, Int. No. 1370.)

"An act conferring jurisdiction upon the Court of Claims to hear, audit and determine the alleged claims of certain owners of real property in New York city for damages alleged to have been caused to said property by the operations carried out pursuant to chapter 339 of the Laws of 1892." (No. 520, Int. No. 484.)

"An act to amend the Transportation Corporations Law, in relation to the capital stock of corporations organized to navigate the canals." (No. 2312, Int. No. 409.)

"An act to amend the Legislative Law, relative to officers and and employes of the Senate and Assembly and their compensation." (No. 2504, Int. No. 1556.)

"An act to empower the county of Westchester to pay to the Westchester County Society for the Prevention of Cruelty to Children an amount not to exceed \$1,000 annually for the purposes for which said society was organized." (No. 2328, Int. No. 1582.)

"An act to amend section 91 of the Railroad Law in relation to certificates of extension." (No. 2374, Int. No. 572.)

"An act to amend the Labor Law, relating to posting of law in factories." (No. 912, Int. No. 795.)

"An act to amend the Labor Law, renumbering section 91 thereof, relative to employment of women and children at polishing and buffing." (No. 1233, Int. No. 794.)

"An act to authorize the town board of the town of Brownville to borrow money to levy a tax for the purpose of providing for the expenses of the town board of health of said town." (No. 2351, Int. No. 1505.)

"An act to amend section 1 of chapter 378 of the Laws of 1883, entitled 'An act in relation to receivers of corporations,' relative to actions brought against corporations." (No. 2462, Int. No. 1520.)

"An act to amend the Forest, Fish and Game Law, in relation to penalties for unlawful taking or interfering with Antwerp or homing pigeons." (No. 2269, Int. No. 1547.)

"An act to extend and regulate liability of employers to employes and others for injuries suffered by them." (No. 2375, Int. No. 38.)

"An act to amend chapter 182 of the Laws of 1898, entitled 'An act for the government of cities of the second class,' relative to city sealer." (No. 1546, Int. No. 840.)

"An act to amend chapter 290 of the Laws of 1892, entitled 'An act to authorize the formation of a corporation by benevolent orders for the acquisition of real property and the erection and maintenance of buildings for the use of such orders,' relative to the Foresters of America." (No. 2241, Int. No. 1531.)

"An act to amend subdivision 3 of section 3,251 of the Code of Civil Procedure, relative to taxation of costs." (No. 1914, Int. No. 1129.)

"An act for the relief of the towns of Newfane, Wilson and Lewiston, and to enable each of said towns to refund and adjust its indebtedness and to issue bonds therefor." (No. 2121, Int. No. 1486.)

"An act making an appropriation for the Rome State Custodial Asylum, at Rome." (No. 2039, Int. No. 995.)

"An act to amend the Forest, Fish and Game Law in relation to the Adirondack park." (No. 1725, Int. No. 1286.)

"An act to amend the Village Law and the Town Law, in relation to the protection of the rights of taxpayers." (No. 1104, Int. No. 117.)

"An act providing for the repair, improvement and enlargement of the State armory in the city of Troy, Rensselaer county, and making an appropriation for said purposes, and providing for the purchase of a site for such armory and the taking of real estate therefor." (No. 74, Int. No. 74.)

"An act to legalize, validate and confirm certain deeds of conveyance arising out of tax sales heretofore made by the treasurer of Wyoming county." (No. 2009, Int. No. 1437.)

"An act to legalize the official acts of William L. Riley as justice of the peace of the town of Chazy, county of Clinton." (No. 2280, Int. No. 1558.)

Ordered, That the Clerk deliver said bills to the Governor.

"An act to amend chapter 312 of the Laws of 1898, entitled 'An act increasing the jurisdiction of the city court of Albany and relative to a jury list in said court and regulating the practice therein,' as amended by chapter 590 of the Laws of 1899." (No. 2449, Int. No. 1642.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Albany.

"An act for the relief of Joseph Palladino, in payment of work, labor and services performed and materials furnished to and for the mayor, aldermen and commonalty of the city of New York." (No. 1325, Int. No. 1067.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

"An act to amend chapter 385 of the Laws of 1862, entitled 'An act to amend and consolidate the several acts relative to the city of Schenectady,' in relation to providing means for payment of certain street improvements." (No. 2434, Int. No. 1456.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Schenectady.

"An act to amend the Greater New York charter relative to depositing the fire department life insurance fund." (No. 1873, Int. No. 1080.)

"An act to amend the Greater New York charter, relative to the powers of the fire commissioners." (No. 1872, Int. No. 1079.)

"An act to amend chapter 643 of the Laws of 1899, entitled 'An act in relation to the opening of the highway or avenue known as Prospect avenue, in the former town of Flatbush, Kings county, now a part of the city of New York,' relative to the refunding of assessments." (No. 702, Int. No. 635.)

Ordered, That the Clerk transmit certified copies thereof to the mayor of the city of New York.

"An act authorizing an investigation as to the expediency and cost of establishing a municipal electric lighting plant in and for the city of Syracuse." (No. 2345, Int. No. 1364.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Syracuse.

"An act to amend chapter 671 of the Laws of 1892, entitled 'An act to revise, consolidate and amend the several acts relating to the government of the city of Cohoes,' in relation to the time

of holding the annual meeting of the common council of said city, the commencement of the fiscal year and of the terms of office of certain officers in said city." (No. 2302, Int. No. 1480.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Cohoes.

"An act to provide for the payment and assessment of the cost of certain local improvements in the city of Rensselaer." (No. 2439, Int. No. 1632.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Rensselaer.

"An act authorizing the board of estimate and apportionment of the city of New York to audit and allow the claim of John R. Powers, of said city, for services rendered as dockmaster of the department of docks of said city, and to provide for the payment of such claim." (No. 2496, Int. No. 659.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

"An act to amend chapter 227 of the Laws of 1898, entitled An act to create a public improvement commission in and for the city of Cohoes, and define its powers and duties,' in relation to street pavements, condemnation proceedings and assessments." (No. 2441, Int. No. 1634.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Cohoes.

The Senate returned the following entitled bills:

"An act in relation to the widening and improvement of One Hundred and Thirty-fifth street, west of St. Nicholas avenue, in the city of New York." (No. 990, Senate reprint No. 1471, Int. No. 87.)

"An act to amend the Greater New York charter in relation to general powers of commissioners as to the management of parks." (No. 1067, Senate reprint No. 1468, Int. No. 334.)

Ordered, That the Clerk transmit certified copies thereof to the mayor of the city of New York.

"An act to amend chapter 105 of the Laws of the year 1891, entitled 'An act to revise the charter of the city of Buffalo,' in relation to the police justice." (No. 2130, Senate reprint No. 1399, Int. No. 1398.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Buffalo.

"An act to amend chapter 665 of the Laws of 1897, entitled 'An act to lay out and establish and construct a public drive and parkway in the city of New York as an extension of Riverside drive to the Boulevard LaFayette,' relative to the assessment of damages." (No. 853, Senate reprint No. 1490, Int. No. 748.)

"An act to provide for the licensing of firemen operating steam stationary boiler or boilers in the city of New York." (No. 1566, Senate reprint No. 1494, Int. No. 504.)

Ordered, That the Clerk transmit certified copies thereof to the mayor of the city of New York.

The Senate returned the bill (No. 2012) entitled "An act to provide for the pensioning of policemen who have served twenty years on the police force of the village and city of Jamestown" (Int. No. 1440), with a message that they have concurred in the passage of the same without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Jamestown.

Mr. Coughtry called up the bill (No. 2485) entitled "An act to amend chapter 444 of the Laws of 1866, entitled 'An act to create a board of public instruction in the city of Albany; to establish free schools therein, and amendatory of the several acts relating to the district schools in said city,' relating to appointments by the board" (Int. No. 1384), and moved to take from the table the motion to reconsider the vote by which the amendment offered by Mr. McKeown was adopted.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Coughtry, and it was determined in the affirmative.

Mr. McKeown—The question is to reconsider the vote by which the amendment was carried. There isn't any motion of that kind pending. A motion of that character must be made on the day in which the amendments were adopted, or the next succeeding legislative day—

Mr. Speaker—The gentleman from Albany made the motion—

Mr. McKeown—That is true; that is just why, Mr. Speaker; that was on the amendment, and the motion of the gentleman

from Albany has no force. He voted in the negative; and that motion must be made by some person who voted in the affirmative; and on that I raise the point of order, and ask the ruling of the Chair; we are not disposing of the bill finally; it is on the amendments.

Mr. Coughtry—That point of order should have been made when I made the motion.

Mr. McKeown—Not at all; it was not up for consideration then; I was not making the point of order when it was made—we are now considering it. My point of order is that there is no motion pending to reconsider, inasmuch as that motion has no force being made by a member who voted in the negative—Rule 25, Mr. Speaker.

Mr. Allds—Mr. Speaker—

Mr. McKeown—Now, then, let him dispose of the rule first—

Mr. Allds—That is what I desire to speak about—

Mr. Coughtry—I made the motion to reconsider.

Mr. Speaker—If there was a roll call upon this proposition and the roll call shows that the gentleman voted in the majority, the Chair would have to rule with the gentleman from Kings; if there is no roll call upon the proposition, then any gentleman had the right to vote. The rule is that the motion must be made on the same day or the next succeeding day.

Mr. Allds—The gentleman from Albany raises no question but what he voted in the negative.

Mr. Speaker—The Chair then holds the point of order raised by the gentleman from Kings well taken under the rule. The Chair asked for the record of the vote, and the Chair will make his ruling when he gets the record. The Chair wants to know what the motion is and what the vote upon it was.

The Chair would like to make a statement, and ask if his understanding on this proposition is correct. The Chair understands that an amendment was offered by the gentleman from Kings, Mr. McKeown, “that nothing in this act should provide for the removal of a Grand Army man.” Am I correct in that respect?

Mr. McKeown—That is correct.

Mr. Speaker—And there is a record, and that motion was carried, was it, and Mr. Coughtry voted in the negative upon that proposition?

Mr. McKeown—Yes.

Mr. Speaker—The point of order of the gentleman from Kings under the rule is not well taken, because he voted in minority and not the majority.

Mr. McKeown—A motion to reconsider a proposition when carried on other than the final passage of a bill must be made by those who voted the affirmative—meaning on the affirmative side of the proposition; and we certainly were on the affirmative side, because the proposition was carried.

Mr. Speaker—The Chair holds that the point of order raised by the gentleman from Kings is well taken.

Mr. Coughtry—I raise the point of order that the motion of the gentleman from Kings should have been raised when I moved to reconsider. It cannot be raised at this time.

I moved to reconsider and lay that motion on the table. The motion to lay on the table was objected to and discussed, and was finally agreed to. And it seems to me that that motion was adopted—and that the point of order at this time cannot lie.

Mr. M. E. Lewis—The mover of the motion to reconsider is entitled to a point of order, if to be made at all, made at the time of the making of the motion, in order, in order that in the event that a point of order of this character is raised, he may take such action thereon that day or on the succeeding day, as he is entitled to.

Mr. Allds—In this situation, Mr. Speaker, the gentleman is absolutely deprived of his rights which he has to bring the matter before the House.

Mr. Kelsey—I agree with what these gentlemen have said, that they cannot subvert the rules by indirection in that way. And I believe that when the motion is made and no objection, that the unanimous consent of the House at that time would justify it, in any event.

Mr. McKeown—The proper time to dispose of the motion is now when it is brought up.

Mr. Speaker—The Chair desires to be absolutely fair upon the proposition—and allow every member not to be defeated in so far as his relation is concerned, by indirection.

Mr. McKeown—If they want to be absolutely fair with the Chair they should move to appeal from the decision of the Chair; that is absolutely the only way out of it.

Mr. Speaker—The Chair believes that it is only fair from the fact that the point was not raised at that time; if it had been the Chair would have held as he would hold this morning upon such a proposition.

Mr. Rogers—I agree entirely with the point of order raised by the gentleman from Albany. It has been decided I observe by consulting previous decisions that one point of order can not be raised upon another, otherwise, I should have raised the point of order immediately after the gentleman from Kings did; but observing the gentleman from Albany called attention to that fact—now, then, observing that point, the Chair having made a ruling upon the question raised by the gentleman from Kings; a point of order is now raised that the point of order of the gentleman from Kings was waived by not having been raised at that time. It seems to me that all parliamentary procedure goes upon this basis. That a point of order raised against any proceeding must be raised before the House has disposed of that in any sort of way and proceeded to other business. Now, then, this point of order that the gentleman from Albany could not make this motion should have been raised before the House took any other action or considered another question.

After that motion was made a further motion was made laying that upon the table, the House considered that motion; and when the House took action upon that second motion, all objections to the right of the gentleman from Albany to make the first motion were waived and waived forever.

Mr. Speaker—If the gentleman will yield for a moment, the Chair will explain his position upon this proposition; then it is for the determination of the House to say whether he is correct or not. And in making this ruling the Chair makes the ruling which he believes will be absolutely acceptable to every fair-minded man, upon this proposition. Now, there is nothing in our rules with reference to the question which has been raised by the gentleman from Albany upon the proposition that if this point of order was to lodge against him it should have been raised at that time, when it would have been possible to have corrected it. The theory of parliamentary procedure is to give every man a fair opportunity to have his legislation reasonably considered. And the Chair will hold that if the point of order

had been raised at that time under rule 25, he would have been compelled to agree with the gentleman from Kings; but the point of order being raised at this time, at a time when it would be impossible under our rules, that he not having raised his point of order when this matter was under discussion, is not well taken at this stage of the proceedings.

The Chair is going to hold upon this proposition that this point of order not having been raised at the time that the motion was made, that he believes in his judgment, and there is nothing in the rules to the contrary, this proposition should come before the House to consider.

Mr. McKeown—What has changed the Chair that after consulting the rules—he sustained my position—

Mr. Speaker—Simply for the reason that the Chair does not believe that a point of order should be raised in a way of that kind to defeat a bill by indirection.

Mr. Lewis—And further, Mr. Speaker because of the fact that the gentleman from Kings had waived his point of order was not called to the attention of the Chair.

Mr. Speaker—The Chair understands there is nothing before the House except the motion to take from the table.

Mr. Allds—As I understand it, the pending question is whether the motion shall be reconsidered.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said motion of Mr. McKeown was adopted, and it was determined in the affirmative.

{ AYES 76 }
 { NOES 33 }

Those who voted in the affirmative, were

Adams	Coughtry	Hanford	Nye	Ross
Allds	Dickinson	Hatch	O'Brien	Ruehl
Axtell	Ellis	Irwin	O'Malley	Salyerds
Babcock	Everett	Kelsey	Orr	Schneider
Bedell	Fancher	Knipp	Patton	Seymour
Bennet	Fisher	Landon	Phillips	Sherer
Blackwell	Fordyce	Leggett	Phipps	Smith A R
Brooks	Fowler	Lewis M E	Plank	Smith J L
Bryan	Galbraith	Lewis T D	Platt	Smith J T

Burnett	Gardiner R	Mains	Price	Smith S W
Cadin	Gardner C J	Mansfield	Rainey	Smith W H
Conger	Graeff	Marson	Reynolds	Snyder
Cook	Griffith	McMillan	Roberts	Stevens
Cooley	Hallock	McQuade	Rodenbeck	Swarts
Coons	Hammond	Morgan	Rogers	Treat
Costello				

Those who voted in the negative, were

Baker	Davis	Fitzgerald	Hyman	Sanders
Bell	Delaney	Frisbie	Mathews	Swift
Brill	Dempsey	Geoghan	Prince	Thorn
Burns	Dickey	Harburger	Richter	Ulmann
Cotton	Dooling	Harris	Rider	Van Name
Daly	Dusinbery	Hasenflug	Rierdon	Waite
Darrison	Egan	Henry		

Mr. McKeown—The motion to take from the table has not been disposed of.

Mr. Speaker—The Chair is informed by the desk that the motion to take from the table was adopted. The journal is the official record of the House, and the Chair will be guided by the journal on this proposition.

Mr. Allds—The Chair now holds that the vote by which the amendments were adopted has been reconsidered.

Mr. Speaker—The amendments are now before the House for reconsideration.

Mr. Speaker—The question occurs upon the motion of the gentleman, Mr. McKeown.

Debate was had thereon, when

Mr. Allds moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. McKeown, and it was determined in the negative.

{ AYES 56 }
 { NOES 72 }

Those who voted in the affirmative, were

Adams	Dempsey	Harburger	Lynn	Rider
Baker	Dickey	Harris	Mathews	Rierdon
Bell	Dooling	Hawkins	McInerney	Sanders
Bradley	Duross	Hitchcock	McKeown	Scanlon
Brill	Egan	Holsten	Meister	Smith J E
Bryan	Fisher	Honeck	O'Connell	Smith J L
Burns	Fitzgerald	Hyman	Patton	Swift
Cotton	Fitzpatrick	Juengst	Poth	Traub
Daly	Frisbie	Kaiser	Prince	Ulmann
Darrison	Geoghan	Keenan	Reilley	Van Name
Davis	Halpin	Kelly	Richter	Waite
Delaney				

Those who voted in the negative, were

Ahern	Doughty	Hatch	Orr	Schneider
Allds	Ellis	Irwin	Phillips	Seymour
Axtell	Everett	Kelsey	Phipps	Sherer
Babcock	Fancher	Knipp	Plank	Smith A R
Bedell	Fish	Landon	Platt	Smith J T
Bennet	Fordyce	Leggett	Rainey	Smith S W
Blackwell	Fowler	Lewis M E	Remsen	Smith W H
Brooks	Galbraith	Lewis T D	Reynolds	Snyder
Conger	Gardiner R	Mains	Robinson	Stevens
Cook	Gardner C J	Mansfield	Rodenbeck	Thorn
Cooley	Graeff	Marson	Rogers	Treat
Coons	Griffith	Morgan	Ross	Weber
Costello	Hallock	Nye	Ruehl	Weekes
Coughtry	Hammond	O'Malley	Salyerds	Wilson H
Dickinson	Hanford			

Mr. Allds moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the clerk called the roll, when the following members responded:

Adams	Davis	Hallock	McKeown	Salyerds
Adler	Delaney	Hammond	McMillan	Scanlon
Ahern	Dempsey	Hanford	McQuade	Schneider
Allds	Dickey	Harburger	Meister	Seymour

Allston	Dickinson	Harris	Morgan	Sherer
Axtell	Dooling	Hatch	Nye	Smith A R
Babcock	Doughty	Hawkins	O'Brien	Smith J L
Baker	Duross	Henry	O'Connell	Smith J T
Bedell	Dusinbery	Hitchcock	O'Malley	Smith S W
Bell	Egan	Holsten	Orr	Smith W H
Bennet	Ellis	Honeck	Patton	Snyder
Blackwell	Everett.	Hyman	Phillips	Stevens
Bradley	Fancher	Irwin	Phipps	Sullivan
Brill	Fish	Juengst	Plank	Swarts
Brooks	Fisher	Kaiser	Platt	Swift
Bryan	Fitzgerald	Kelly	Prince	Thorn
Burns	Fitzpatrick	Kelsey	Rainey	Traub
Cadin	Fordyce	Knipp	Remsen	Treat
Conger	Fowler	Landon	Rider	Ulmann
Cook	Frisbie	Leggett	Rierdon	Vacheron
Cooley	Galbraith	Lewis M E	Roberts	Van Name
Coons	Gardiner R	Lewis T D	Robinson	Waite
Costello	Gardner C J	Mains	Rodenbeck	Walrath
Cotton	Geoghan	Mansfield	Rogers	Weber
Coughtry	Graeff	Marson	Ross	Weekes
Daly	Griffith	Mathews	Ruehl	Wilson H
Darrison				131

Mr. Allds moved that all further proceedings, under the call of the House, be suspended.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Debate was had on the third reading of said bill, when

Mr. Allds moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 76 }
{ NOES 55 }

Those who voted in the affirmative, were

Adams	Coughtry	Irwin	Phillips	Seymour
Adler	Davis	Kelsey	Phipps	Sherer
Allds	Dickinson	Knipp	Plank	Smith A R
Axtell	Ellis	Landon	Platt	Smith J L
Babcock	Everett	Lewis M E	Price	Smith J T
Bedell	Fancher	Lewis T D	Rainey	Smith S W
Bennet	Fowler	Mains	Remsen	Smith W H
Blackwell	Galbraith	Mansfield	Reynolds	Snyder
Brooks	Gardiner R	Marson	Robinson	Stevens
Burnett	Gardner C J	McMillan	Rodenbeck	Thorn
Cadin	Griffith	Morgan	Rogers	Traub
Conger	Hallock	Nye	Ross	Vacheron
Cook	Hammond	O'Brien	Ruehl	Weber
Cooley	Hanford	O'Malley	Salyerds	Weekes
Coons	Hatch	Orr	Schneider	Wilson H
Costello				

Those who voted in the negative, were

Ahern	Dempsey	Hasenflug	Leggett	Rierdon
Baker	Dickey	Hawkins	Mathews	Roberts
Bell	Dooley	Henry	McInerney	Sanders
Bradley	Dusinbery	Hitchcock	McKeown	Scanlon
Brill	Egan	Holsten	McQuade	Smith J E
Bryan	Fisher	Honeck	O'Connell	Sullivan
Burns	Fitzgerald	Hyman	Patton	Swift
Cotton	Fitzpatrick	Juengst	Prince	Ulmann
Daly	Frisbie	Kaiser	Reilley	Van Name
Darrison	Geoghan	Keenan	Richter	Waite
Delaney	Harris	Kelly	Rider	Walrath

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

On request of Mr. Bryan the Senate bill (No. 1114) entitled "An act to amend chapter 30 of the general laws, entitled 'The Navigation Law,' in relation to the application of article five" (Rec. N. 280), was referred to the committee on rules for the purpose of making said bill a special order on third reading.

On request of Messrs. Stevens and Burnett the bill (No. 1951) entitled "An act to prevent deception in the manufacture and sale of beer, ale and porter" (Int. No. 1281), was referred to the com-

mittee on rules for the purpose of making said bill a special order on second and third reading.

On request of Mr. Fordyce the bill (No. 1832) entitled "An act making an appropriation for building controlling gates in the Seneca river for the purpose of maintaining and regulating the waters of Cayuga lake" (Int. No. 1327), was referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

On request of Mr. Sullivan the bill (No. 2565) entitled "An act to fix the compensation of the recorder, city judge and judges of the court of general sessions, of the city and county of New York" (Int. No. 1690), was referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

On request of Mr. Sanders the bill (No. 1446) entitled "An act for the relief of the corporation of Saint Austin's school from taxes" (Int. No. 1138), was referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

On request of Mr. W. H. Smith the bill (No. 2574) entitled "An act to acquire land and property and to authorize the city of New York to maintain the Hamilton grange as a memorial building in honor of Alexander Hamilton" (Int. No. 1694), was referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

On request of Mr. Salyerds the Senate bill (No. No. 806) entitled "An act to amend the Forest, Fish and Game law, relative to private parks" (Rec. No. 167), was referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

On request of Mr. Bryan the bill (No. 2577) entitled "An act to amend chapter 322 of the Laws of 1850, entitled 'An act to incorporate the fire department of the village of Watertown,' in relation to the officers of the department, the powers of the directors, and changing the name thereof" (Int. No. 1172), was referred to the committee on rules for the purpose of making said bill a special order on third reading.

On request of Mr. Nye the bill (No. 2513) entitled "An act to amend the Penal Code, relative to the contamination of salt

wells " (Int. No. 1027) was referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

On request of Mr. Landon the bill (No. 1579) entitled "An act giving authority to the commissioners of the land office to grant and convey to the United States of America the southerly portion of Esopus island, in the Hudson river, and to cede jurisdiction to the United States over said property" (Int. No. 1038), was referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

On motion of Mr. Allds the House adjourned to meet Saturday, April 20, at 10 o'clock a. m.

SATURDAY, APRIL 20, 1901.

The House met pursuant to adjournment.

No clergyman present.

On motion of Mr. Allds, the reading of the journal of yesterday was dispensed with, and the same was approved.

The Senate sent for concurrence the following entitled bills:

"An act in relation to the widening and improvement of Livingston street in the borough of Brooklyn, city of New York" (No. 1412, Rec. No. 489), which was read the first time, and referred to the committee on rules.

"An act giving authority to the commissioners of the land office to grant and convey to the United States of America the southerly portion of Esopus island, in the Hudson river, and to cede jurisdiction to the United States over said property" (No. 1579, Rec. No. 490), which was read the first time, and referred to the committee on rules.

Mr. Speaker, from the committee on rules, to which was referred the following entitled bills, reported in favor of the passage of the same without amendment, and that the same be made a special order on third reading immediately:

"An act to enable the police commissioner of the city of New

York to rehear and determine the charges against Michael Linehan, a former policeman of the city of New York." (No. 2327, Int. No. 1581.)

Senate, "An act to provide for rebinding, recopying and transcribing certain books and records in the office of the clerk of the county of Queens." (No. 761, Assembly reprint No. 2570, Rec. No. 408.)

Which report was agreed to, and said bills ordered made special orders on third reading immediately.

Mr. Speaker, from the committee on rules, to which was referred the following entitled bills, reported in favor of the passage of the same without amendment, and that the same be made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported:

Senate, "An act to authorize the city of Watertown to receive a donation for and to establish and maintain 'The Roswell P. Flower Memorial Library,' as a free public library in and for said city." (No. 1474, Assembly reprint No. 2543, Rec. No. 438.)

"An act to authorize the building of an extension of a dyke for the protection of property adjacent to the Chemung river in the town of Corning, in the county of Steuben, and making an appropriation therefor." (No. 385, Int. No. 370.)

"An act providing for the construction of a bridge over the Clark and Skinner canal, at Ohio street, in the city of Buffalo, and making an appropriation therefor." (No. 177, Int. No. 177.)

"An act to amend the Forest, Fish and Game Law, relative to close season for black bass in certain localities." (No. 2555, Int. No. 1158.)

Senate, "An act to amend the Business Corporations Law, relating to the number of directors and to the subscribers of the certificate of incorporation." (No. 1427, Assembly reprint No. 2569, Rec. No. 440.)

"An act to amend subdivision 11 of section 41 of the Penal Code, relative to misdemeanors at, or in connection with, enrollment in political parties." (No. 2559, Int. No. 1684.)

"An act to amend chapter 112 of the Laws of 1896, entitled 'An act in relation to the traffic in liquors, and for the taxation and regulation of the same, and to provide for local option, constitut-

ing chapter 29 of the general laws.'” (No. 1650, Int. No. 1252.)

“An act to enable Charles E. Abbott to take the necessary examinations for admission to practice medicine in this State.” (No. 2560, Int. No. 1685.)

Which report was agreed to, and said bills ordered made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported.

Mr. Speaker, from the committee on rules, to which was referred the following entitled bills, reported in favor of the passage of the same without amendment, and that the same be made a special order on third reading immediately:

Senate, “An act to amend chapter 428 of the Laws of 1900, entitled ‘An act supplemental to chapter 469 of the Laws of 1892’ entitled ‘An act to restore to the owners of water power on Black river the water diverted by the State for canal purposes’ and making an appropriation therefor.” (No. 1225, Assembly reprint No. 2540, Rec. No. 390.)

Senate, “An act to amend section 82 of chapter 683 of the Laws of 1892, known as the Executive Law, with respect to notaries public acting in more than one county.” (No. 506, Assembly reprint No. 2340, Rec. No. 46.)

Which report was agreed to, and said bills ordered made special orders on third reading immediately.

Mr. Speaker, from the committee on rules, to which was referred the following entitled bills, reported in favor of the passage of the same without amendment, and that the same be made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported:

“An act to amend chapter 908 of the Laws of 1896 entitled ‘An act in relation to taxation, constituting chapter 24 of the general laws,’ in relation to the cancellation of certain tax sales.” (No. 2497, Int. No. 1660.)

Senate, “An act to amend the Forest, Fish and Game Law relating to forest fires.” (No. 881, Assembly reprint No. 2545, Rec. No. 242.)

Senate, “An act to amend the Tax Law in relation to the taxation of trust companies.” (No. 1553, Rec. No. 484.)

Senate, "An act to amend the Public Health Law, in relation to the registration of pharmacies and drug stores." (No. 835, Rec. No. 158.)

Senate, "An act to amend chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' relating to Hellgate pilots." (No. 1533, Rec. No. 485.)

Senate, "An act amending section 276 of the Greater New York charter, relative to the telegraph operators in the police department." (No. 1456, Rec. No. 448.)

Which report was agreed to, and said bills ordered made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported.

Mr. Speaker, from the committee on rules, to which was referred the following entitled bills, reported in favor of the passage of the same without amendment, and that the same be made a special order on third reading immediately:

Senate, "An act to appropriate money for the repair and improvement of the State armory at Watertown, N. Y." (No. 424, Rec. No. 394.)

Senate, "An act to amend the Insurance Law, relative to insurance against disablement resulting from sickness." (No. 1087, Rec. No. 393.)

Which report was agreed to, and said bills ordered made special orders on third reading immediately.

Mr. Speaker, from the committee on rules, to which was referred the Senate bills, reported in favor of the passage of the same without amendment, and that the same be made special orders on second and third reading, immediately after the consideration of the special orders on third reading heretofore reported:

"An act to provide for the erection of a suitable monument to the memory of the soldiers of the Thirty-fourth Regiment Volunteer Infantry of the State of New York, who were engaged in the battle of Antietam, and making an appropriation therefor." (No. 1548, Rec. No. 409.)

"An act to amend the Tax Law relating to the taxation of the

stockholders of banks and banking associations." (No. 1507, Rec. No. 453.)

"An act to extend the time of the Upper Hudson Railroad Company to begin the construction of its road, and to expend thereon 10 per centum of the amount of its capital and to finish its road and to put it in operation." (No. 1309, Rec. No. 458.)

"An act to permit and empower the trustee of the relief fund of the fire department of the city of New York to grant a pension to Mary Bowen, the foster mother of Peter F. Bowen, a deceased fireman." (No. 1554, Rec. No. 482.)

"An act to amend chapter 128 of the Laws of 1899, entitled 'An act to incorporate the city of New Rochelle,' relating to appropriation for public lighting." (No. 971, Rec. No. 479.)

"An act relating to the commissioners of the Palisades Interstate Park confirming their appointment and enlarging their powers." (No. 1386, Rec. No. 457.)

"An act to amend the County Law, in relation to the salary of the county judge and surrogate of Orange county." (No. 1505, Rec. No. 462.)

"An act to exempt from taxation certain real estate leased to St. John's Armenian Apostolic Church, in the city of New York." (No. 31, Rec. No. 289.)

"An act to amend the Public Health Law, in regard to the right of the regents to admit to examinations in certain medical studies." (No. 1549, Rec. No. 480.)

"An act to amend section 351 of the Penal Code relative to pool-selling, book-making, bets and wagers, etc." (No. 1511, Rec. No. 472.)

"An act to amend the Forest, Fish and Game Law relative to closing streams." (No. 1558, Rec. No. 481.)

"An act in relation to admission to examinations for license to practice veterinary medicine." (No. 1078, Rec. No. 487.)

Which report was agreed to, and said bills ordered made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported.

Mr. Speaker, from the committee on rules, to which was referred the Senate bill (No. 1088) entitled "An act to amend the Insurance Law, relating to the valuation of policies of health

insurance" (Rec. No. 392), reported in favor of the passage of the same, without amendment, and that the same be made a special order on third reading immediately, which report was agreed to, and said bill made a special order on third reading immediately.

Mr. Speaker presented the forty-ninth annual report of the New York Juvenile Asylum; which was laid upon the table and ordered printed.

(See Document.)

Mr. Speaker announced the special order, being the Senate bill (No. 635) entitled "An act to amend the Public Health Law, in relation to the registration of pharmacies and drug stores." (Rec. No. 158.)

Said bill having been announced for a second reading,

On motion of Mr. Henry, said bill was laid aside, retaining its place on the order of second reading.

Mr. Speaker announced the special order, being the bill (No. 2568) entitled "An act to authorize the New York and London Trust Company to increase the number of its directors." (Int. No. 1693.)

Said bill was read the second time.

On motion of Mr. Seymour, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 105 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	DeGraw	Harris	McMillan	Ruehl
Adler	Delaney	Hatch	McQuade	Salyerds
Allds	Dickey	Henry	Morgan	Sanders
Allston	Dickinson	Hitchcock	Nye	Schneider
Axtell	Doughty	Holsten	O'Connell	Seymour
Babcock	Duross	Hyman	Orr	Sherer

Baum	Egan	Juengst	Patton	Smith J L
Bell	Ellis	Kaiser	Phillips	Smith J T
Blackwell	Everett	Keenan	Phipps	Smith W H
Brill	Fancher	Kelly	Plank	Snyder
Brooks	Fisher	Kelsey	Poth	Stevens
Bryan	Fitzgerald	Knipp	Price	Swarts
Burnett	Fordyce	Landon	Reilley	Thorn
Burns	Fowler	Lewis M E	Remsen	Traub
Conger	Galbraith	Lynn	Reynolds	Treat
Cook	Gardner C J	Mains	Rider	Vacheron
Cooley	Geoghan	Mansfield	Rierdon	Van Name
Costello	Griffith	Marson	Roberts	Walrath
Cotton	Hallock	Mathews	Robinson	Weber
Daly	Hammond	McInerney	Rogers	Weekes
Darrison	Harburger	McKeown	Ross	Wilson H

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2567) entitled "An act to amend the Tax Law in relation to the taxation of trust companies." (Int. No. 1692.)

Said bill having been announced for a second reading,

On motion of Mr. M. E. Lewis, said bill was laid aside, retaining its place on the order of second reading.

Mr. Speaker announced the special order, being the bill (No. 2559) entitled "An act to amend subdivision 11 of section 41 of the Penal Code, relative to misdemeanors at or in connection with enrollment in political parties." (Int. No. 1684.)

Said bill having been announced for a second reading,

On motion of Mr. O'Malley, and by unanimous consent, said bill was ordered placed on the order of second and third reading calendar for Monday next.

Mr. Speaker announced the special order, being the bill (No. 1650) entitled "An act to amend chapter 112 of the Laws of 1896, entitled 'An act in relation to the traffic in liquors, and for the taxation and regulation of the same, and to provide for local option, constituting chapter 29 of the general laws.'" (Int. No. 1252.)

Said bill having been announced for a second reading,

On motion of Mr. Apgar, and by unanimous consent, said bill was placed on the second and third reading calendar for Monday next.

Mr. Speaker announced the special order, being the bill (No. 2560) entitled "An act to enable Charles E. Abbott to take the necessary examinations for admission to practice medicine in this State." (Int. No. 1685.)

Said bill was read the second time.

On motion of Mr. O'Malley, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 86 }
{ NOES 1 }

Those who voted in the affirmative, were

Adams	Darrison	Hasenflug	McMillan	Salyerds
Adler	DeGraw	Hatch	Meister	Scanlon
Ahern	Dempsey	Henry	Nye	Seymour
Allston	Dickinson	Holsten	O'Brien	Smith A R
Axtell	Dooling	Hyman	O'Malley	Smith J L
Babcock	Duross	Juengst	Orr	Smith S W
Baum	Egan	Kaiser	Phillips	Snyder
Bedell	Everett	Keenan	Phipps	Sullivan
Bell	Fish	Kelly	Platt	Swarts
Bennet	Fitzgerald	Kelsey	Poth	Thorn
Bradley	Fordyce	Knipp	Price	Treat
Brooks	Frisbie	Leggett	Rainey	Vacheron
Bruckner	Galbraith	Lynn	Remsen	Waite
Burnett	Geoghan	Mansfield	Richter	Walrath
Cadin	Griffith	Marson	Roberts	Weber
Cooley	Halpin	Mathews	Rodenbeck	Weekes
Costello	Harburger	McInerney	Ruehl	Wilson H
Coughtry				

In the negative,

Davis

Ordered, That the Clerk deliver said bill to the Senate. and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2497) entitled "An act to amend chapter 908 of the Laws of 1896, entitled 'An act in relation to taxation, constituting chapter 24 of the general laws,' in relation to the cancellation of certain tax sales." (Int. No. 1660.)

Said bill was read the second time.

On motion of Mr. Cooley, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 101 {
 { NOES 00 {

Those who voted in the affirmative, were

Adams	Dickey	Holsten	Meister	Seymour
Adler	Dooling	Hyman	Nye	Sherer
Allds	Duross	Irwin	O'Brien	Smith J E
Apgar	Dusinbery	Juengst	O'Malley	Smith J L
Babcock	Egan	Kaiser	Orr	Smith S W
Baker	Everett	Keenan	Phillips	Smith W H
Bedell	Fancher	Kelly	Plank	Stevens
Bennet	Fisher	Kelsey	Poth	Sullivan
Blackwell	Fitzpatrick	Knipp	Prince	Swarts
Brill	Fowler	Landon	Reilley	Swift
Brooks	Frisbie	Leggett	Remsen	Thorn
Bryan	Gardiner R	Lewis M E	Richter	Traub
Burnett	Geoghan	Lewis T D	Rierdon	Treat
Burns	Griffith	Mains	Robinson	Ulmann
Conger	Halpin	Mansfield	Rodenbeck	Van Name
Cooley	Hammond	Marson	Ross	Waite
Costello	Harburger	McInerney	Ruehl	Walrath
Coughtry	Hasenflug	McMillan	Salyerds	Weber
Darrison	Hawkins	McKeown	Scanlon	Weber
DeGraw	Hitchcock	McQuade	Schneider	Wilson H
Delaney				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 385) entitled "An act to authorize the building of an extension of a dyke for the protection of property adjacent to the Chemung river, in the town of Corning, in the county of Steuben, and making an appropriation therefor." (Int. No. 370.)

Said bill was read the second time.

On motion of Mr. Platt, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{	AYES	93	}
{	NOES	00	}

Those who voted in the affirmative, were

Adams	Darrison	Hawkins	Nye	Sanders
Adler	DeGraw	Henry	O'Brien	Scanlon
Ahern	Delaney	Holsten	O'Malley	Seymour
Allds	Dickey	Hyman	Patton	Sherer
Apgar	Dooling	Irwin	Phipps	Smith J E
Axtell	Dusinbery	Kaiser	Plank	Smith J L
Baker	Ellis	Keenan	Poth	Smith S W
Baum	Fancher	Kelly	Price	Smith W H
Bell	Fisher	Kelsey	Rainey	Stevens
Blackwell	Fordyce	Knipp	Remsen	Swarts
Brill	Frisbie	Leggett	Reynolds	Swift
Brooks	Gardiner R	Lewis M E	Rider	Traub
Bruckner	Geoghan	Lynn	Rierdon	Ulmann
Burnett	Graeff	Mains	Roberts	Vacheron
Conger	Hallock	Marson	Robinson	Waite
Cooley	Hammond	McInerney	Rogers	Walrath
Costello	Hanford	McKeown	Ross	Weber
Cotton	Harris	McQuade	Ruehl	Wilson H
Coughtry	Hasenflug	Morgan		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 177) entitled "An act providing for the construction of a bridge over the Clark and Skinner canal, at Ohio street, in the city of Buffalo, and making an appropriation therefor." (Int. No. 177.)

Said bill was read the second time.

On motion of Mr. Bradley, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{	AYES	92	}
{	NOES	00	}

Those who voted in the affirmative, were

Adams	Dickinson	Harris	McKeown	Ross
Ahern	Duross	Hatch	McMillan	Sanders
Allston	Dusinbery	Hawkins	Meister	Scanlon
Apgar	Egan	Holsten	Morgan	Sherer
Babcock	Everett	Honeck	Nye	Smith J E
Bedell	Fancher	Juengst	O'Connell	Smith J T
Bennet	Fish	Kaiser	Orr	Smith S W
Brill	Fitzgerald	Keenan	Phillips	Smith W H
Bruckner	Fowler	Kelly	Plank	Stevens
Bryan	Galbraith	Kelsey	Poth	Swift
Burns	Galbraith	Knipp	Prince	Traub
Cadin	Gardner C J	Landon	Rainey	Treat
Conger	Geoghan	Lewis M E	Reilley	Ulmann
Coons	Graeff	Lynn	Ramsen	Vacheron
Cotton	Hallock	Mains	Rider	Van Name
Daly	Griffith	Marson	Roberts	Waite
Darrison	Halpin	Mathews	Robinson	Walrath
Davis	Hammond	McInerney	Rogers	Weekes
Dempsey	Harburger			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the Senate bill (No. 1104, Assembly reprint No. 2543) entitled "An act to author-

ize the city of Watertown to receive a donation for and to establish and maintain 'The Roswell P. Flower Memorial Library,' as a free public library in and for said city." (Rec. No. 438.)

Said bill was read the second time.

On motion of Mr. Bryan, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 92 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Darrison	Hammond	McKeown	Ruehl
Ahern	Delaney	Hanford	Meister	Sanders
Allston	Davis	Hitchcock	Morgan	Scanlon
Axtell	Dickinson	Hawkins	O'Brien	Schneider
Baker	Dusinbery	Hitchcock	O'Malley	Seymour
Bedell	Doughty	Holsten	Orr	Smith A R
Bennet	Duross	Honeck	Patton	Smith J E
Blackwell	Egan	Hyman	Phillips	Smith J L
Bradley	Everett	Juengst	Plank	Smith S W
Brill	Fish	Kaiser	Poth	Snyder
Bruckner	Fisher	Keenan	Prince	Sullivan
Burnett	Fitzgerald	Kelly	Reilley	Swift
Burns	Fowler	Kelsey	Reynolds	Treat
Cadin	Galbraith	Knipp	Rierdon	Ulmann
Conger	Gardiner R	Leggett	Roberts	Vacheron
Cook	Gardner C J	Lynn	Robinson	Waite
Cooley	Geoghan	Mansfield	Rogers	Weber
Costello	Griffith	Mathews	Ross	Wilson H
Coughtry	Halpin			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same with amendments.

Mr. Speaker announced the special order, being the bill (No. 2555) entitled "An act to amend the Forest, Fish and Game Law,

relative to close season for black bass in certain localities." (Int. No. 1158.)

Said bill was read the second time.

On motion of Mr. Costello, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 122 }
 { NOES 00 }

Those who voted in the affirmative, were

Adams	Dusinbery	Henry	Nye	Scanlon
Adler	Egan	Hitchcock	O'Connell	Schneider
Ahern	Everett	Holsten	O'Malley	Seymour
Allston	Fancher	Honeck	Orr	Sherer
Apgar	Fisher	Hyman	Patton	Smith A R
Babcock	Fitzgerald	Irwin	Phillips	Smith J E
Baker	Fitzpatrick	Juengst	Phipps	Smith J T
Bedell	Fordyce	Kaiser	Plank	Smith S W
Bell	Fowler	Keenan	Platt	Smith W H
Blackwell	Frisbie	Kelly	Price	Stevens
Brill	Galbraith	Kelsey	Prince	Sullivan
Brooks	Gardiner R	Knipp	Rainey	Swarts
Bryan	Gardner C J	Landon	Reilley	Swift
Burns	Geoghan	Leggett	Remsen	Thorn
Conger	Graeff	Lewis M E	Reynolds	Traub
Cooley	Griffith	Lewis T D	Richter	Treat
Coons	Hallock	Mains	Rider	Ulmann
Cotton	Halpin	Mansfield	Roberts	Vacheron
Daly	Hammond	Marson	Robinson	Van Name
Darrison	Hanford	Mathews	Rodenbeck	Waite
DeGraw	Harburger	McKeown	Rogers	Walrath
Delaney	Harris	McMillan	Ross	Weber
Dickey	Hasenflug	McQuade	Ruehl	Weekes
Dickinson	Hatch	Morgan	Salyerds	Wilson H
Doughty	Hawkins			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the Senate bill (No. 1106, Assembly reprint No. 2569) entitled "An act to amend the Business Corporations Law, relating to the number of directors and to the subscribers of the certificate of incorporation." (Rec. No. 440.)

Said bill was read the second time.

On motion of Mr. Mansfield, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 90 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Darrison	Hammond	McInerney	Rogers
Ahern	DeGraw	Harburger	McKeown	Ruehl
Allston	Delaney	Hasenflug	McQuade	Sanders
Axtell	Dempsey	Hatch	Meister	Schneider
Babcock	Dickey	Henry	Morgan	Seymour
Baker	Dooling	Holsten	O'Brien	Smith A R
Baum	Doughty	Honeck	O'Connell	Smith J L
Bell	Dusinbery	Hyman	Orr	Smith S W
Blackwell	Ellis	Irwin	Phillips	Smith W H
Brill	Fish	Juengst	Phipps	Stevens
Brooks	Fisher	Keenan	Platt	Swarts
Bryan	Fitzgerald	Kelly	Price	Thorn
Burns	Fitzpatrick	Kelsey	Prince	Treat
Conger	Fowler	Landon	Rainey	Vacheron
Cook	Galbraith	Lewis M E	Remsen	Van Name
Coons	Gardiner R	Lynn	Richter	Walrath
Costello	Geoghan	Mains	Rierdon	Weber
Coughtry	Griffith	Marson	Robinson	Wilson H

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same with amendments.

Mr. Speaker announced the special order, being the Senate bill (No. 1105, Assembly reprint No. 2545) entitled "An act to amend

the Forest, Fish and Game Law relating to forest fires." (Rec. No. 242.)

Said bill was read the second time.

On motion of Mr. Babcock, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 95 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Darrison	Griffith	Mathews	Ross
Ahern	Davis	Hallock	McKeown	Sanders
Allds	Delaney	Hammond	McMillan	Scanlon
Allston	Dickey	Hanford	Morgan	Seymour
Axtell	Dickinson	Harris	O'Brien	Smith A R
Baker	Dooling	Hatch	O'Connell	Smith J L
Bedell	Doughty	Hawkins	Orr	Smith S W
Bennet	Duross	Hitchcock	Patton	Snyder
Bradley	Dusinbery	Holsten	Phillips	Stevens
Brill	Ellis	Hyman	Plank	Swarts
Bruckner	Fancher	Juengst	Poth	Swift
Bryan	Fisher	Kaiser	Price	Traub
Burnett	Fitzgerald	Kelly	Rainey	Ulmann
Cadin	Fordyce	Kelsey	Reilley	Vacheron
Conger	Fowler	Knipp	Reynolds	Waite
Cook	Galbraith	Landon	Rider	Walrath
Coons	Gardiner R	Lewis M E	Roberts	Weber
Costello	Gardner C J	Lynn	Robinson	Weekes
Coughtry	Graeff	Mansfield	Rogers	Wilson H

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same with amendments.

Mr. Speaker announced the special order, being the bill (No. 2556) entitled "An act to amend chapter 14 of the Laws of 1880, entitled 'An act to further amend chapter 143 of the Laws of

1861, entitled 'An act to amend and consolidate the several acts in relation to the charter of the city of Rochester,' and to consolidate therewith the several acts in relation to the charter of said city,' relative to expenses incident to improvements." (Int. No. 1648.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 90 }
 { NOES 00 }

Those who voted in the affirmative, were

Adams	Costello	Halpin	Mathews	Sanders
Adler	Coughtry	Hanford	McMillan	Schneider
Ahern	Darrison	Harburger	Meister	Seymour
Allston	Davis	Hasenflug	Nye	Smith A R
Apgar	Delaney	Hawkins	O'Connell	Smith J E
Babcock	Dickey	Henry	Orr	Smith J T
Baum	Dooling	Holsten	Phillips	Smith W H
Bedell	Duross	Hyman	Plank	Stevens
Bennet	Dusinbery	Irwin	Platt	Swarts
Bradley	Ellis	Juengst	Prince	Swift
Brill	Everett	Kaiser	Reilley	Traub
Bruckner	Fancher	Keenan	Remsen	Ulmann
Bryan	Fisher	Kelly	Richter	Vacheron
Burnett	Fitzpatrick	Knipp	Rierdon	Van Name
Burns	Fowler	Lewis M E	Robinson	Waite
Cadin	Gardiner R	Lewis T D	Rodenbeck	Weber
Conger	Geoghan	Lynn	Ross	Weekes
Cooley	Graeff	Mansfield	Ruehl	Wilson H

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order being the Senate bill (No. 424), entitled "An act to appropriate money for the repair and improvement of the State armory at Watertown, New York." (Rec. No. 394.)

Said bill was read the third time, having been printed and upon

the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 90 }
 { NOES 00 }

Those who voted in the affirmative, were

Adams	Davis	Harris	McMillan	Ruehl
Ahern	DeGraw	Hatch	McQuade	Sanders
Allston	Dickey	Hawkins	Morgan	Schneider
Apgar	Dooling	Hitchcock	O'Brien	Sherer
Babcock	Doughty	Holsten	O'Connell	Smith J E
Baum	Dusinbery	Hyman	Orr	Smith J T
Bennet	Ellis	Irwin	Patton	Smith W H
Blackwell	Everett	Juengst	Phipps	Stevens
Brill	Fish	Keenan	Platt	Sullivan
Bruckner	Fitzgerald	Kelly	Poth	Swarts
Burnett	Fordyce	Kelsey	Prince	Swift
Burns	Frisbie	Landon	Reilley	Traub
Conger	Gardiner R	Lewis M E	Remsen	Ulmann
Cook	Geoghan	Lewis T D	Richter	Van Name
Coons	Graeff	Mains	Rierdon	Waite
Costello	Griffith	Marson	Robinson	Walrath
Coughtry	Halpin	Mathews	Rogers	Weber
Daly	Hanford	McInerney	Ross	Weekes

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1087), entitled "An act to amend the Insurance Law, relative to insurance against disablement resulting from sickness." (Rec. No. 393.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 102 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Ellis	Hitchcock	Morgan	Sanders
Adler	Fancher	Holsten	O'Connell	Scanlon
Ahern	Fitzgerald	Honeck	O'Malley	Seymour
Allston	Fitzpatrick	Hyman	Orr	Smith A R
Axtell	Fordyce	Irwin	Patton	Smith J L
Baker	Fowler	Juengst	Phipps	Smith J T
Bedell	Frisbie	Kaiser	Plank	Smith W H
Blackwell	Galbraith	Keenan	Poth	Snyder
Bradley	Gardiner R	Kelly	Price	Sullivan
Brooks	Gardner C J	Knipp	Prince	Swarts
Bryan	Graeff	Landon	Rainey	Swift
Burns	Griffith	Lewis M E	Remsen	Traub
Conger	Hallock	Lynn	Reynolds	Treat
Cooley	Halpin	Mains	Richter	Ulmann
Cotton	Hammond	Marson	Rider	Vacheron
Daly	Harburger	Mathews	Roberts	Waite
DeGraw	Harris	McInerney	Robinson	Walrath
Delaney	Hasenflug	McMillan	Rodenbeck	Weber
Dooling	Hatch	McQuade	Ross	Weekes
Doughty	Hawkins	Meister	Ruehl	Wilson H
Dusinbery	Henry			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1088) entitled "An act to amend the Insurance Law relating to the valuation of policies of health insurance." (Rec. No. 392.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 117 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	DeGraw	Hawkins	McKeown	Ruehl
Adler	Delaney	Henry	McMillan	Salyerds
Allds	Dickey	Hitchcock	McQuade	Scanlon
Allston	Dooling	Holsten	Meister	Schneider
Axtell	Duross	Honeck	Morgan	Sherer
Babcock	Ellis	Hyman	O'Brien	Smith A R
Baum	Everett	Irwin	O'Connell	Smith J L
Bedell	Fish	Juengst	Orr	Smith J T
Bennet	Fisher	Kaiser	Patton	Smith S W
Bradley	Fitzgerald	Keenan	Phillips	Smith W H
Brill	Fitzpatrick	Kelly	Plank	Snyder
Brooks	Fordyce	Kelsey	Platt	Stevens
Bryan	Fowler	Knipp	Poth	Sullivan
Burnett	Galbraith	Landon	Prince	Swift
Burns	Gardner C J	Leggett	Rainey	Thorn
Conger	Geoghan	Lewis M E	Remsen	Traub
Cook	Griffith	Lewis T D	Richter	Ulmann
Cooley	Hallock	Lynn	Rider	Vacheron
Costello	Hammond	Mains	Roberts	Van Name
Cotton	Hanford	Mansfield	Robinson	Waite
Coughtry	Harburger	Marson	Rodenbeck	Weber
Daly	Harris	Mathews	Rogers	Weekes
Darrison	Hasenflug	McInerney	Ross	Wilson H
Davis	Hatch			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the bill (No. 2327) entitled "An act to enable the police commissioner of the city of New York to rehear and determine the charges against Michael Linchan, a former policeman of the city of New York." (Int. No. 1581.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 107 }
 { NOES 00 }

Those who voted in the affirmative, were

Adams	Darrison	Hawkins	McQuade	Ruehl
Ahern	DeGraw	Henry	Morgan	Sanders
Allds	Dempsey	Holsten	Nye	Scanlon
Allston	Dickey	Honeck	O'Brien	Seymour
Apgar	Dooling	Hyman	O'Connell	Smith A R
Babcock	Duross	Juengst	O'Malley	Smith J L
Baker	Egan	Kaiser	Orr	Smith J T
Bedell	Ellis	Keenan	Patton	Smith S W
Bell	Fancher	Kelly	Phipps	Smith W H
Blackwell	Fish	Kelsey	Plank	Stevens
Bradley	Fisher	Knipp	Platt	Sullivan
Brill	Fitzpatrick	Landon	Poth	Swift
Bruckner	Fordyce	Lewis M E	Prince	Thorn
Bryan	Frisbie	Lynn	Rainey	Traub
Burnett	Gardiner R	Mains	Reilley	Ulmann
Burns	Geoghan	Mansfield	Reynolds	Vacheron
Cadin	Graeff	Marson	Richter	Waite
Cook	Hallock	Mathews	Rider	Walrath
Cooley	Hammond	McInerney	Rierdon	Weber
Costello	Hanford	McKeown	Rogers	Weekes
Cotton	Harris	McMillan	Ross	Wilson H
Daly	Hasenflug			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the Senate bill (No. 1241, Assembly reprint No. 2570) entitled "An act to provide for rebinding, recopying and transcribing certain records in the office of the clerk of the county of Queens." (Rec. No. 408.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{	AYES	94	}
	NOES	00	

Those who voted in the affirmative, were

Adams	Davis	Hanford	McMillan	Scanlon
Adler	Delaney	Harris	Meister	Seymour
Allds	Dempsey	Hawkins	Morgan	Smith A R
Apgar	Dickinson	Hitchcock	O'Brien	Smith J L
Axtell	Doughty	Honeck	O'Connell	Smith J T
Babcock	Duross	Irwin	Orr	Smith W H
Baum	Egan	Kaiser	Phillips	Stevens
Bedell	Ellis	Keenan	Plank	Sullivan
Bell	Everett	Kelly	Platt	Swift
Blackwell	Fancher	Kelsey	Price	Traub
Brill	Fisher	Landon	Rainey	Ulmann
Bruckner	Fitzgerald	Leggett	Remsen	Vacheron
Burnett	Fitzpatrick	Lewis T D	Reynolds	Van Name
Cadin	Fowler	Lynn	Rider	Waite
Conger	Galbraith	Mains	Roberts	Walrath
Cooley	Geoghan	Mansfield	Rodenbeck	Weber
Costello	Graeff	Marson	Rogers	Weekes
Cotton	Hallock	Mathews	Ruehl	Wilson H
Daly	Hammond	McKeown	Sanders	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same with amendments.

Mr. Speaker announced the special order being the Senate bill (No. 1225, Assembly reprint No. 2540) entitled "An act to amend chapter 428 of the Laws of 1900, entitled 'An act supplemental to chapter 469 of the Laws of 1892' entitled 'An act to restore to the owners of water power on Black river the water diverted by the State for canal purposes' and making an appropriation therefor." (Rec. No. 390.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 125 }
 { NOES 00 }

Those who voted in the affirmative, were

Adams	Cooley	Fordyce	Kelly	Price
Adler	Coons	Fowler	Kelsey	Prince
Ahern	Costello	Frisbie	Knipp	Rainey
Allds	Cotton	Galbraith	Landon	Reilley
Allston	Coughtry	Gardiner R	Leggett	Remsen
Apgar	Daly	Gardner C J	Lewis M E	Richter
Axtell	Dickinson	Geoghan	Lewis T D	Rider
Babcock	Davis	Graeff	Lynn	Rierdon
Baker	DeGraw	Griffith	Mains	Ross
Baum	Delaney	Hallock	Mansfield	Ruehl
Bedell	Dempsey	Halpin	Marson	Salyerds
Bell	Dickey	Hammond	Mathews	Sanders
Bennet	Dickinson	Hanford	McInerney	Scanlon
Blackwell	Dooling	Harburger	McKeown	Schneider
Brill	Doughty	Harris	McMillan	Sherer
Brooks	Duross	Hasenflug	McQuade	Smith J E
Bruckner	Dusinbery	Hatch	Meister	Smith J T
Brooks	Egan	Hawkins	Morgan	Smith W H
Bruckner	Ellis	Hitchcock	O'Brien	Sullivan
Bryan	Everett	Holsten	O'Connell	Swift
Burnett	Fancher	Honeck	O'Malley	Treat
Burns	Fish	Hyman	Orr	Vacheron
Cadin	Fisher	Irwin	Plank	Waite
Conger	Fitzgerald	Kaiser	Platt	Weber
Cook	Fitzpatrick	Keenan	Poth	Wilson H

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same with amendments.

Mr. Speaker announced the special order, being the Senate bill (No. 506, Assembly reprint No. 2340) entitled "An act to amend section 82 of chapter 683 of the laws of 1892, known as the Executive Law, with respect to notaries public acting in more than one county." (Rec. No. 46.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 98 }
 { NOES 00 }

Those who voted in the affirmative, were

Adams	Dempsey	Honeck	O'Connell	Sanders
Adler	Dickey	Hyman	Orr	Schneider
Ahern	Dickinson	Irwin	Phillips	Seymour
Allds	Doughty	Juengst	Phipps	Smith A R
Allston	Dusinbery	Kaiser	Platt	Smith J E
Axtell	Everett	Keenan	Poth	Smith J T
Baker	Fancher	Kelly	Price	Smith S W
Bedell	Fisher	Kelsey	Prince	Snyder
Bennet	Fitzgerald	Knipp	Rainey	Stevens
Bradley	Fordyce	Landon	Reilley	Swarts
Brill	Galbraith	Leggett	Reynolds	Thorn
Bruckner	Gardner C J	Lewis M E	Richter	Traub
Burnett	Graeff	Mains	Rierdon	Treat
Cadin	Hallock	Mansfield	Roberts	Vacheron
Cook	Halpin	Marson	Robinson	Van Name
Coons	Hanford	McInerney	Rodenbeck	Walrath
Cotton	Harris	McKeown	Rogers	Weber
Coughtry	Hatch	McQuade	Ruehl	Weekes
Darrison	Henry	Meister	Salyerds	Wilson H
DeGraw	Hitchcock	Nye		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same with amendments.

Mr. Speaker announced the special order, being the Senate bill (No. 1533) entitled "An act to amend chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' relating to Hellgate pilots." (Rec. No. 485.)

Said bill was read the second time.

On motion of Mr. Apgar, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree

to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 103 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Delaney	Hasenflug	Nye	Ross
Ahern	Dempsey	Hatch	O'Brien	Sanders
Allds	Dickey	Henry	O'Malley	Scanlon
Apgar	Dickinson	Holsten	Orr	Seymour
Babcock	Dooling	Hyman	Patton	Smith A R
Baum	Doughty	Irwin	Phillips	Smith J E
Baker	Duross	Kaiser	Phipps	Smith J L
Bennet	Dusinbery	Keenan	Plank	Smith S W
Bradley	Egan	Kelly	Platt	Snyder
Brooks	Everett	Kelsey	Poth	Stevens
Bruckner	Fancher	Landon	Prince	Swarts
Burnett	Fisher	Leggett	Rainey	Thorn
Cadin	Fitzgerald	Lewis M E	Reilly	Traub
Conger	Fordyce	Lewis T D	Remsen	Ulmann
Cooley	Frisbie	Mains	Reynolds	Vacheron
Costello	Gardiner R	Mansfield	Richter	Van Name
Coughtry	Geoghan	Marson	Rierdon	Waite
Daly	Griffith	McInerney	Roberts	Weber
Darrison	Hallock	McKeown	Robinson	Weekes
Davis	Hammond	McQuade	Rogers	Wilson H
DeGraw	Harburger	Meister		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1553) entitled "An act to amend the Tax Law in relation to the taxation of trust companies." (Rec. No. 484.)

Said bill was read the second time.

On motion of Mr. M. E. Lewis, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 194 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Delaney	Harris	Mansfield	Roberts
Adler	Dickey	Hasenflug	Mathews	Ross
Allds	Dickinson	Hatch	McInerney	Salyerds
Allston	Dooling	Hawkins	McKeown	Schneider
Axtell	Doughty	Henry	McMillan	Scanlon
Babcock	Duross	Hitchcock	McQuade	Seymour
Baum	Dusinbery	Holsten	Meister	Smith A R
Bedell	Egan	Honeck	Morgan	Smith J E
Bennet	Everett	Hyman	O'Brien	Smith J L
Bradley	Fancher	Irwin	O'Connell	Smith W H
Brill	Fish	Juengst	Orr	Smith W H
Bruckner	Fitzgerald	Kaiser	Patton	Stevens
Burnett	Fitzpatrick	Keenan	Phipps	Swift
Burns	Fowler	Kelly	Platt	Traub
Conger	Frisbie	Kelsey	Poth	Treat
Cooley	Gardiner R	Knipp	Prince	Vacheron
Coons	Gardner C J	Leggett	Rainey	Van Name
Costello	Graeff	Lewis M E	Reilley	Walrath
Coughtry	Griffith	Lewis T D	Reynolds	Weber
Daly	Hallock	Mains	Richter	Wilson H
Davis	Hammond	Mains	Rierdon	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1456) entitled "An act amending section 276 of the Greater New York charter, relative to the telegraph operators in the police department." (Rec. No. 448.)

Said bill was read the second time.

On motion of Mr. Sullivan, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ A YES 96 }
 { NOES 00 }

Those who voted in the affirmative, were

Adams	Dickey	Henry	Meister	Sanders
Adler	Dickinson	Holsten	Morgan	Schneider
Allds	Dooling	Hyman	Nye	Seymour
Apgar	Duross	Irwin	O'Connell	Smith A R
Axtell	Dusinbery	Juengst	O'Malley	Smith J L
Baker	Ellis	Kaiser	Orr	Smith J T
Bedell	Fancher	Keenan	Phillips	Smith S W
Bennet	Fisher	Kelly	Plank	Snyder
Bradley	Fitzpatrick	Kelsey	Platt	Stevens
Brooks	Fowler	Knipp	Price	Sullivan
Bruckner	Galbraith	Leggett	Prince	Swarts
Burnett	Gardner C J	Lewis M E	Reilley	Thorn
Cadin	Graeff	Lewis T D	Reynolds	Treat
Cook	Griffith	Lynn	Rider	Vacheron
Coons	Halpin	Mansfield	Roberts	Waite
Cotton	Hammond	Marson	Robinson	Walrath
Coughtry	Harburger	Mathews	Rogers	Weber
Darrison	Hasenflug	McKeown	Ross	Weekes
Davis	Hawkins	McMillan	Ruehl	Wilson H
Delaney				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1548) entitled "An act to provide for the erection of a suitable monument to the memory of the soldiers of the Thirty-fourth Regiment Volunteer Infantry of the State of New York, who were engaged in the battle of Antietam, and making an appropriation therefor." (Rec. No. 409.)

Said bill was read the second time.

On motion of Mr. Allston, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 106 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Daly	Harburger	McKeown	Sanders
Adler	Davis	Harris	McMillan	Schneider
Ahern	Delaney	Hasenflug	McQuade	Seymour
Allston	Dempsey	Hatch	Morgan	Smith A R
Apgar	Dickinson	Henry	Nye	Smith J E
Babcock	Doughty	Holsten	O'Brien	Smith J L
Baker	Dusinbery	Honeck	O'Connell	Smith S W
Baum	Egan	Hyman	Orr	Smith W H
Bell	Ellis	Juengst	Phillips	Stevens
Bennet	Everett	Kaiser	Phipps	Sullivan
Blackwell	Fish	Keenan	Platt	Swift
Brill	Fisher	Kelly	Price	Traub
Brooks	Fitzgerald	Kelsey	Prince	Treat
Bruckner	Fitzpatrick	Knipp	Reiley	Ulmann
Bryan	Fowler	Landon	Remsen	Vacheron
Burnett	Galbraith	Leggett	Richter	Van Name
Burns	Gardner C J	Lewis M E	Rider	Waite
Cadin	Geoghan	Lynn	Roberts	Walrath
Cook	Griffith	Mansfield	Robinson	Weber
Coons	Hallock	Marson	Rogers	Weekes
Costello	Hammond	McInerney	Ruehl	Wilson H
Cotton				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1507) entitled "An act to amend the Tax Law relating to the taxation of the stockholders of banks and banking associations." (Rec. No. 453.)

Said bill having been announced for a second reading,

On motion of Mr. M. E. Lewis, and by unanimous consent, said bill was ordered placed on the order of second and third reading calendar for Monday next.

Mr. Speaker announced the special order, being the Senate bill (No. 1309) entitled "An act to extend the time of the Upper Hudson Railroad Company to begin the construction of its road, and to expend thereon ten per cent of the amount of its capital and to finish its road and to put it in operation." (Rec. No. 458.)

Said bill was read the second time.

On motion of Mr. Axtell, said bill was placed on the order of third reading

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 105 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Dickinson	Honeck	O'Brien	Ruehl
Adler	Duross	Hyman	O'Connell	Salyerds
Allds	Dusinbery	Juengst	O'Malley	Sanders
Apgar	Ellis	Kaiser	Orr	Scanlon
Baker	Fish	Keenan	Patton	Schneider
Bedell	Fitzgerald	Kelly	Phillips	Sherer
Bennet	Fitzpatrick	Kelsey	Phipps	Smith A R
Blackwell	Frisbie	Landon	Platt	Smith J L
Brill	Galbraith	Leggett	Poth	Smith J T
Bruckner	Gardner C J	Lewis M E	Price	Smith S W
Bryan	Geoghan	Lewis T D	Prince	Smith W H
Burns	Graeff	Lynn	Rainey	Stevens
Cadin	Hallock	Mains	Reilley	Sullivan
Cook	Hammond	Mansfield	Remsen	Swarts
Coons	Hanford	Marson	Reynolds	Thorn
Costello	Harburger	McInerney	Richter	Treat
Coughtry	Harris	McKeown	Rider	Vacheron

Daly	Hasenflug	McMillan	Roberts	Van Name
Davis	Hawkins	McQuade	Robinson	Waite
Delaney	Henry	Meister	Rogers	Weber
Dickey	Hitchcock	Nye	Ross	Weekes

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1554) entitled "An act to permit and empower the trustee of the relief fund of the fire department of the city of New York to grant a pension to Mary Bowen, the foster mother of Peter F. Bowen, a deceased fireman." (Rec. No. 482.)

Said bill was read the second time.

On motion of Mr. Sullivan, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 119 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Davis	Henry	Nye	Sherer
Adler	Delaney	Holsten	O'Brien	Smith A R
Alds	Dempsey	Honeck	O'Connell	Smith J E
Allston	Dickey	Irwin	O'Malley	Smith J L
Axtell	Doughty	Kaiser	Orr	Smith J T
Babcock	Duross	Keenan	Patton	Smith S W
Baker	Dusinbery	Kelly	Phillips	Smith W H
Baum	Ellis	Kelsey	Phipps	Snyder
Bell	Everett	Knipp	Platt	Stevens
Bennet	Fish	Landon	Poth	Sullivan
Blackwell	Fisher	Leggett	Price	Swarts
Brill	Fitzpatrick	Lewis M E	Prince	Swift
Brooks	Fordyce	Lewis T D	Rainey	Thorn
Bruckner	Fowler	Lynn	Remsen	Traub

Burnett	Frisbie	Mains	Reynolds	Treat
Burns	Gardiner R	Mansfield	Rierdon	Ulmann
Cadin	Geoghan	Marson	Robinson	Vacheron
Conger	Graeff	Mathews	Roberts	Van Name
Cooley	Griffith	McInerney	Ruehl	Waite
Coons	Halpin	McKeown	Salyerds	Walrath
Costello	Hanford	McMillan	Sanders	Weber
Coughtry	Harburger	McQuade	Scanlon	Weekes
Daly	Hasenflug	Meister	Schneider	Wilson H
Darrison	Hawkins	Morgan	Seymour	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1386) entitled "An act relating to the commissioners of the Palisades interstate park confirming their appointment and enlarging their powers." (Rec. No. 457.)

Said bill was read the second time.

On motion of Mr. Bennet, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 122 }
{ NOES 60 }

Those who voted in the affirmative, were

Adams	Coons	Fowler	Landon	Rodenbeck
Adler	Costello	Frisbie	Leggett	Rogers
Ahern	Cotton	Galbraith	Lewis T D	Ruehl
Allds	Coughtry	Gardiner R	Lynn	Salyerds
Allston	Daly	Gardner C J	Mansfield	Sanders
Apgar	Darrison	Geoghan	Marson	Scanlon
Axtell	Davis	Griffith	McInerney	Seymour
Babcock	DeGraw	Halpin	McKeown	Sherer
Baker	Delaney	Hammond	McQuade	Smith J E
Baum	Dempsey	Hanford	Morgan	Smith J L

Bedell	Dickey	Harburger	Nye	Smith J T
Bell	Dickinson	Harris	O'Malley	Smith W H
Bennet	Dooling	Hasenflug	Orr	Snyder
Blackwell	Doughty	Hawkins	Phillips	Stevens
Bradley	Duross	Henry	Phipps	Sullivan
Brill	Dusinbery	Hitchcock	Platt	Swarts
Brooks	Egan	Holsten	Poth	Swift
Bruckner	Ellis	Hyman	Prince	Traub
Bryan	Everett	Irwin	Reilley	Treat
Burnett	Fancher	Juengst	Remsen	Vacheron
Burns	Fish	Kaiser	Richter	Van Name
Cadin	Fisher	Keenan	Rider	Waite
Conger	Fitzgerald	Kelsey	Rierdon	Weber
Cook	Fitzpatrick	Knipp	Robinson	Weekes
Coley	Fordyce			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 971) entitled "An act to amend chapter 128 of the Laws of 1899, entitled 'An act to incorporate the city of New Rochelle,' relating to appropriation for public lighting." (Rec. No. 479.)

Said bill was read the second time.

On motion of Mr. Mains, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 98 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Delaney	Hawkins	Nye	Smith A R
Adler	Dempsey	Hitchcock	O'Connell	Smith J L
Ahern	Dickinson	Holsten	O'Malley	Smith S W
Allston	Doughty	Honeck	Orr	Smith W H

Axtell	Duross	Irwin	Phillips	Snyder
Baker	Egan	Juengst	Plank	Stevens
Bell	Ellis	Kaiser	Platt	Sullivan
Bennet	Fancher	Keenan	Price	Swarts
Blackwell	Fisher	Kelly	Prince	Swift
Brill	Fitzpatrick	Kelsey	Reilley	Thorn
Bruckner	Fowler	Landon	Richter	Traub
Bryan	Frisbie	Lewis M E	Rierdon	Treat
Burnett	Gardner C J	Lewis T D	Roberts	Ulmann
Burns	Geoghan	Lynn	Robinson	Vacheron
Cook	Graeff	Mansfield	Rogers	Van Name
Cooley	Hallock	Mathews	Ross	Waite
Costello	Hammond	McInerney	Salyerds	Weber
Cotton	Hanford	McMillan	Scanlon	Weekes
Daly	Harris	Meister	Seymour	Wilson H
Davis	Hasenflug	Morgan		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1505) entitled "An act to amend the County Law, in relation to the salary of the county judge and surrogate of Orange county." (Rec. No. 462.)

Said bill was read the second time.

On motion of Mr. Bedell, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 97 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Dusinbery	Kelly	Phillips	Seymour
Adler	Everett	Kelsey	Phipps	Sherer
Ahern	Fish	Knipp	Plank	Smith A R
Allds	Fitzgerald	Landon	Platt	Smith J E

Apgar	Fordyce	Lewis M E	Poth	Smith J L
Axtell	Galbraith	Lewis T D	Price	Smith J T
Baker	Gardiner R	Lynn	Rainey	Smith W H
Bell	Geoghan	Mains	Reilley	Stevens
Bennet	Graeff	Marson	Remsen	Sullivan
Bradley	Hallock	McKeown	Reynolds	Swift
Bruckner	Hammond	McInerney	Rider	Traub
Burnett	Hanford	McMillan	Rierdon	Treat
Cadin	Harris	McQuade	Roberts	Ulmann
Cook	Hatch	Morgan	Robinson	Van Name
Costello	Henry	Nye	Rogers	Waite
Coughtry	Hitchcock	O'Brien	Ross	Walrath
Davis	Honeck	O'Malley	Ruehl	Weber
Delaney	Irwin	Orr	Sanders	Weekes
Dickey	Kaiser	Patton	Scanlon	Wilson H
Doughty	Keenan			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 31) entitled "An act to exempt from taxation certain real estate leased to Saint John's Armenian Apostolic Church, in the city of New York." (Rec. No. 289.)

Said bill was read the second time.

On motion of Mr. Bennet, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 84 }
{ NOES 2 }

Those who voted in the affirmative, were

Adams	Coons	Harburger	Mathews	Ruehl
Ahern	Costello	Hasenflug	McKeown	Sanders
Allds	Cotton	Hatch	McMillan	Schneider
Apgar	Daly	Henry	Meister	Sherer

Axtell	Delaney	Holsten	Nye	Smith J E
Babcock	Dempsey	Hyman	O'Connell	Smith J T
Baum	Dooling	Juengst	Orr	Smith W H
Bell	Doughty	Keenan	Phillips	Sullivan
Bennet	Egan	Kelly	Plank	Swift
Blackwell	Everett	Kelsey	Platt	Thorn
Brill	Fisher	Knipp	Price	Treat
Brooks	Fitzpatrick	Leggett	Rainey	Vacheron
Bryan	Galbraith	Lewis M E	Remsen	Waite
Burnett	Gardner C J	Lewis T D	Richter	Walrath
Cadin	Griffith	Lynn	Rierdon	Weekes
Conger	Hallock	Mains	Roberts	Wilson H
Cook	Halpin	Mansfield	Rodenbeck	

Those who voted in the negative were,

Davis Fowler

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1549) entitled "An act to amend the Public Health Law, in regard to the right of the Regents to admit to examination in certain medical studies." (Rec. No. 480.)

Said bill was read the second time.

On motion of Mr. Henry, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 90 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Dickinson	Hyman	Nye	Ross
Ahern	Doughty	Juengst	O'Brien	Salyerds
Allds	Dusinbery	Kaiser	O'Connell	Sanders

Apgar	Ellis	Keenan	Orr	Schneider
Babcock	Fancher	Kelsey	Patton	Sherer
Bedell	Fisher	Knipp	Phillips	Smith J E
Bennet	Fitzpatrick	Landon	Phipps	Smith J T
Brill	Fordyce	Lewis M E	Plank	Weekes
Bryan	Frisbie	Lewis T D	Platt	Snyder
Burns	Galbraith	Lynn	Poth	Stevens
Conger	Gardner C J	Mains	Prince	Swarts
Cooley	Graeff	Mansfield	Rainey	Swift
Coons	Hallock	Marson	Reilley	Traub
Cotton	Hammond	Mathews	Reynolds	Ulmann
Daly	Harris	McKeown	Richter	Van Name
Darrison	Hatch	McMillan	Rierdon	Weber
DeGraw	Henry	McQuade	Robinson	Smith W H
Delaney	Holsten	Meister	Rogers	Wilson H

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 1511) entitled "An act to amend section 351 of the Penal Code relative to pool-selling, book-making, bets and wagers, etc." (Rec. No. 472), having been announced for a second reading.

On motion of Mr. Allds, and by unanimous consent, said bill was ordered placed on the order of second and third reading calendar for Monday next.

The Senate bill (No. 1558) entitled "An act to amend the Forest, Fish and Game Law relative to closing streams" (Rec. No. 481), was read the second time.

On motion of Mr. Babcock, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 99 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Darrison	Hammond	Marson	Ruehl
Adler	Davis	Harburger	Mathews	Sanders
Ahern	Delaney	Hatch	McKeown	Scanlon
Allston	Dickey	Henry	McQuade	Sherer
Axtell	Dickinson	Hitchcock	Meister	Smith A R
Baker	Doughty	Honeck	Nye	Smith J L
Baum	Dusinbery	Irwin	O'Connell	Smith J T
Bedell	Egan	Juengst	O'Malley	Smith S W
Bell	Everett	Kaiser	Patton	Snyder
Blackwell	Fish	Keenan	Phipps	Stevens
Brill	Fisher	Kelly	Platt	Swift
Bruckner	Fitzpatrick	Kelsey	Poth	Thorn
Bryan	Fordyce	Knipp	Prince	Treat
Burnett	Frisbie	Landon	Reilley	Ulmann
Cadin	Galbraith	Leggett	Remsen	Van Name
Conger	Gardner C J	Lewis M E	Richter	Waite
Cooley	Geoghan	Lewis T D	Rierdon	Walrath
Coons	Griffith	Lynn	Robinson	Weekes
Costello	Hallock	Mains	Rodenbeck	Wilson H
Coughtry	Halpin	Mansfield	Rogers	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 1078) entitled "An act in relation to admission to examinations for license to practice veterinary medicine" (Rec. No. 487), was read the second time.

On motion of Mr. Patton, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 99 }
 { NOES 00 }

Those who voted in the affirmative, were

Adams	DeGraw	Harris	McQuade	Sherer
Adler	Dempsey	Hatch	Meister	Smith J E
Allds	Dickey	Hawkins	Morgan	Smith J L
Apgar	Dooling	Hitchcock	O'Brien	Smith J T
Babcock	Duross	Holsten	O'Malley	Smith W H
Baker	Egan	Honeck	Patton	Stevens
Bell	Ellis	Hyman	Phipps	Sullivan
Bennet	Everett	Irwin	Platt	Swift
Brill	Fancher	Juengst	Poth	Thorn
Brooks	Frisbie	Kaiser	Prince	Traub
Bryan	Fitzgerald	Keenan	Reilley	Treat
Burnett	Fordyce	Kelly	Remsen	Ulmann
Burns	Frisbie	Knipp	Richter	Vacheron
Cadin	Gardiner R	Landon	Rierdon	Van Name
Cook	Gardner C J	Lewis M E	Robinson	Waite
Coons	Graeff	Lynn	Rogers	Walrath
Cotton	Griffith	Mains	Ruehl	Weber
Coughtry	Halpin	Marson	Salyerds	Weekes
Daly	Hammond	McInerney	Scanlon	Wilson H
Davis	Harburger	McKeown	Schneider	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

A message was received from the Senate, in the words following:

IN SENATE, *April 19, 1901.*

The mayor of the city of New York returned the Senate bill (No. 224, Assembly reprint No. 1545) entitled "An act for the relief of John N. Williamson, assignee of the claim of the Jamaica Electric Light Company, against the city of New York, for work, labor, services, materials and electric light furnished to the city of New York" (Rec. No. 9), with a message that he had not accepted the same.

The vote upon the final passage of the said bill having been reconsidered, on motion of Mr. Foley, and by unanimous consent, the same was amended as follows:

Strike out all after the enacting clause and insert the following:

Section 1. The board of estimate and apportionment of the city of New York is hereby authorized and empowered in its dis-

cretion to examine into the claim of John N. Williamson, the assignee of the claim of the Jamaica Electric light company for work, labor, services, material and electric light furnished by the said Jamaica Electric light company to the city of New York from the eleventh day of June, eighteen hundred and ninety-eight to the first day of June, eighteen hundred and ninety-nine, both days inclusive, amounting to not more than thirty-two thousand and eight dollars and seven cents, and to make such award, if any, as in its discretion may be just and proper, and the said board in its discretion is hereby authorized to audit and allow as a charge against the city of New York the amount of said claim or any part thereof as said board of estimate and apportionment shall deem just and proper, and to include in the taxes to be levied and raised for the year nineteen hundred and two upon the estates subject to taxation in the city of New York, an amount sufficient to pay such sum of money as may be audited and allowed and to file a certificate thereof in the office of the comptroller of the city of New York.

§ 2. The comptroller of the city of New York is hereby authorized and directed to raise such sum of money as may be necessary to pay said claim or such part thereof as may be audited and allowed by said board of estimate and apportionment as hereinbefore provided by the issue of revenue bonds in anticipation of the taxes of the year nineteen hundred and two and the said comptroller of the city of New York is hereby further authorized and directed to pay over to the said John N. Williamson or his executors, administrators or assigns the money so raised for and upon said claim.

§ 3. This act shall take effect immediately.

Said bill as amended, was reprinted, re-engrossed, and having been on the desks of the members three legislative days, was passed and ordered sent to the Assembly for concurrence.

By order of the Senate,

JAMES S. WHIPPLE,

Clerk.

Mr. McKeown moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 95 }
 { NOES 00 }

Those who voted in the affirmative, were

Adams	Cotton	Gardner C J	Leggett	Roberts
Adler	Daly	Graeff	Lewis M E	Rodenbeck
Allds	Davis	Griffith	Lynn	Ross
Allston	DeGraw	Hallock	Mansfield	Salyerds
Apgar	Dempsey	Halpin	Marson	Sanders
Babcock	Darrison	Hanford	McKeown	Schneider
Baker	Dooling	Harburger	McQuade	Sherer
Baum	Doughty	Hasenflug	Meister	Smith J E
Bell	Dusinbery	Hatch	Nye	Smith J T
Bennet	Egan	Henry	O'Brien	Smith W H
Bradley	Ellis	Holsten	O'Malley	Stevens
Brill	Everett	Honeck	Patton	Swarts
Bruckner	Fish	Irwin	Phipps	Thorn
Burnett	Fisher	Juengst	Plank	Treat
Cadin	Fitzgerald	Kaiser	Poth	Vacheron
Conger	Fordyce	Keenan	Prince	Waite
Cook	Frisbie	Kelly	Reilley	Walrath
Cooley	Galbraith	Kelsey	Reynolds	Weekes
Costello	Gardiner R	Knipp	Rider	Wilson H

Mr. Speaker put the question whether the House would agree to the final passage of said bill as amended, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 94 }
 { NOES 00 }

Those who voted in the affirmative, were

Adams	Darrison	Hanford	Mathews	Ruehl
Adler	Davis	Harris	McInerney	Sanders
Ahern	DeGraw	Hasenflug	McMillan	Scanlon
Allston	Dempsey	Hatch	McQuade	Schneider
Axtell	Dickinson	Henry	Morgan	Sherer
Baker	Doughty	Hitchcock	O'Connell	Smith J E
Baum	Duross	Honeck	Orr	Smith J T
Bell	Egan	Hyman	Patton	Smith S W
Bennet	Ellis	Irwin	Phillips	Snyder

Blackwell	Fancher	Juengst	Phipps	Stevens
Brill	Fisher	Kaiser	Plank	Swarts
Brooks	Fitzpatrick	Keenan	Poth	Thorn
Bryan	Frisbie	Kelly	Price	Traub
Burnett	Gardiner R	Knipp	Rainey	Ulmann
Cadin	Gardner C J	Landon	Remsen	Van Name
Conger	Graeff	Leggett	Richter	Weber
Coons	Griffith	Lewis T D	Rierdon	Weekes
Cotton	Hallock	Lynn	Robinson	Wilson H
Coughtry	Hammond	Mansfield	Rogers	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have reconsidered their vote on the final passage of said bill, and as amended have again passed the same.

Mr. McKeown called up the bill (No. 422) entitled "An act to amend chapter 772 of the Laws of 1896, relative to the salary of chief clerk of the district attorney of Kings county" (Int. No. 126), heretofore recalled from the Governor pursuant to concurrent resolution of the Senate and Assembly.

Mr. McKeown moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 102 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Doughty	Honeck	O'Connell	Sanders
Adler	Dusinbery	Hyman	O'Malley	Scanlon
Ahern	Ellis	Irwin	Orr	Seymour
Allston	Fancher	Juengst	Patton	Sherer
Axtell	Fisher	Kaiser	Phillips	Smith A R
Baker	Fitzgerald	Keenan	Phipps	Smith J L
Bedell	Fordyce	Kelly	Plank	Smith J T
Bennet	Fowler	Knipp	Poth	Smith S W
Bradley	Frisbie	Landon	Price	Snyder
Brill	Gardiner R	Lewis M E	Prince	Sullivan
Bruckner	Geoghan	Lewis T D	Reilley	Swarts

Burnett	Graeff	Lynn	Remsen	Thorn
Cadin	Griffith	Mains	Reynolds	Traub
Cook	Halpin	Marson	Rider	Ulmann
Coons	Hammond	Mathews	Rierdon	Vacheron
Cotton	Harburger	McKeown	Roberts	Van Name
Daly	Harris	McMillan	Rodenbeck	Walrath
Davis	Hatch	McQuade	Rogers	Weber
Delaney	Hawkins	Meister	Ross	Weekes
Dempsey	Henry	Nye	Salyerds	Wilson H
Dickinson	Hitchcock	O'Brien		

Mr. McKeown moved that said bill be recommitted to the committee on affairs of cities, with instructions to report the same forthwith amended as follows:

Page 2, line 12, after the word "attorney" insert the words "subject to the approval of the board of estimate and apportionment."

Mr. Speaker put the question whether the House would agree to said motion of Mr. McKeown, and it was determined in the affirmative.

Mr. Kelsey, from the committee on affairs of cities, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The Senate returned the bill (No. 1916, Senate reprint No. 1550) entitled "An act to amend chapter 259 of the Laws of 1900 entitled 'An act to change the name of the justices' court of the city of Troy to the 'city court of Troy,' to prescribe the manner of the appointment of the clerk thereof, and of marshals and attendants upon said court, to increase the jurisdiction thereof, to abolish the office of constable in the city of Troy, and to regulate the practice in said court,' relating to the practice in said court" (Int. No. 1250), with a message that they have concurred in the passage of the same with the following amendments:

Strike out all after the enacting clause and insert the following:

Section 1. Section eighteen of chapter two hundred and fifty-nine of the laws of nineteen hundred, entitled "An act to change the name of the justices' court of the city of Troy to the 'city court of Troy,' to prescribe the manner of the appointment of the

clerk thereof, and of marshals and attendants upon said court, to increase the jurisdiction thereof, to abolish the office of constable in the city of Troy, and to regulate the practice in said court," is hereby amended to read as follows:

§ 18. Appeals may be taken from any judgment rendered in the court to the county court of Rensselaer county [in the same manner and with like effect as appeals are taken from judgments obtained in justices' court, except as otherwise provided herein] as prescribed in articles first, second and third of chapter nineteen of title eight of the code of civil procedure and not otherwise. An appeal may also be taken to the same court from an order granting a motion for a new trial. Such appeal must be taken within ten days after service of the order appealed from and notice of the entry thereof. It shall be taken in the same manner as an appeal from a judgment and all subsequent proceedings therein shall be conducted as near as may be in like manner as in such an appeal. The appellate court may grant costs, not exceeding ten dollars, to the successful party on such appeal. The order of the appellate court shall be remitted to the city court to be enforced. For the purpose of an appeal to the supreme court, the order of the county court made on appeal from an order, shall be deemed an order of the county court, except that the order or judgment made in the supreme court shall be certified and remitted to the city court to be enforced. Upon an appeal from a judgment the appellate court upon its reversal, may, in its discretion, order a new trial before either of the judges of the city court, at a time designated, and in such case the costs of the appeal shall be in the discretion of the appellate court and any and all costs may be by it directed to be included in any subsequent judgment in the same action in the same court. Any decision or opinion in writing filed by a judge of the court shall, upon appeal, be returned as a part of the record of the proceedings. Costs required to be paid to perfect an appeal under section three thousand and forty-seven of the code of civil procedure, shall not include the costs awarded a party under section sixteen of this article; but upon judgment affirming the judgment appealed from, or upon the plaintiff or defendant being entitled to recover costs upon a new trial had in the appellate court, such costs may be included therein, except that the per centum allowed under subdivision two, three, five and six of section sixteen of this article, shall be computed upon the amount of damages awarded or the value of the chattels recovered, in the judgment of the appellate court. Where a party appears by an attorney of the supreme court on the trial in the city court as herein provided, service of the notice of appeal may be made on the respondent by serving said notice of appeal

upon the attorney who appeared for said respondent in the city court, and with same force and effect as if served upon the respondent personally.

§ 2. Section twenty-two of chapter two hundred and fifty-nine of the laws of nineteen hundred is hereby amended to read as follows:

§ 22. At the time when issue of fact is joined in an action in the city court either party may demand a trial by jury and unless so demanded at the joining of issue a jury trial is waived; provided, in case a judgment of said court be reversed on appeal and the action be sent back to the city court for a new trial, in a case where a new trial was not demanded in the county court as provided by law either party may on the day designated by the appellate court for such trial demand a jury trial. The party demanding a trial by jury shall thereupon pay to the judge the statutory fees for the attendance of each person to be summoned and for the jurors to serve upon the trial, and also the fees to which the constable is entitled for notifying the persons to be drawn as jurors. The fees so deposited shall be delivered by the justice to the constable or marshal serving the venire, and by him shall be paid out as required by law. In default of a deposit as aforesaid the judge shall proceed as if no demand for trial by jury had been made. When a trial by jury is demanded as above provided and the fees therefor are paid, the judge of the said court at the time presiding in the court must forthwith openly withdraw such number of ballots as he deems necessary, from the box or other receptacle, containing the names of the persons who are returned as jurors of the city, as provided by law for the purpose of trying the issues joined as above stated at a time to which the cause in which issue has been joined shall be adjourned. But such adjournment shall not be for a longer period than eight days from the joinder of issue, unless the parties consent to a longer adjournment, which consent shall be entered in the minutes of the court. Subsequent proceedings and the trial may be had before either of the judges of the court. Before drawing such ballots they shall be thoroughly mingled in the box or receptacle containing them. Thereafter except as herein otherwise provided and so far as consistent with this act, the provisions of sections twenty-nine hundred and ninety-two, twenty-nine hundred and ninety-three, twenty-nine hundred and ninety-four, twenty-nine hundred and ninety-five, twenty-nine hundred and ninety-six, twenty-nine hundred and ninety-seven, twenty-nine hundred and ninety-eight, three thousand and six, three thousand and seven, three thousand and eight and three thousand and nine of the code of civil procedure, shall govern the

further proceedings upon the issue joined as above provided. The judges of the said court have the powers and duties conferred and imposed upon justices of the peace under those sections. The venire must be issued to the constable or city marshal who shall have all the powers and duties of constable under those sections. Jurors in the city court shall receive the same compensation as jurors in justices' courts held by [the] justices of the peace. The jury shall be the sole judges of fact only and it shall be the duty of the city judge to charge the jury on questions of law whenever required by any party to an action or his attorney.

§ 3. Chapter two hundred and fifty-nine of the laws of nineteen hundred is hereby amended by adding at the end thereof four new sections to be numbered twenty-six, twenty-seven, twenty-eight and twenty-nine, to read as follows:

§ 26. In an action brought in the city court of Troy to recover upon or for breach of a contract express or implied, the plaintiff may serve upon the defendant the summons and in like manner a copy of a written complaint attached thereto verified in like manner as a verified pleading in the supreme court. In that case unless the defendant upon the return of the summons files a written answer verified in like manner denying one or more material allegations or generally each allegation in the complaint or setting forth new matter constituting one or more defenses or counterclaims, the judge must render judgment in favor of the plaintiff for the sum claimed in the complaint with costs without putting the plaintiff to any proof. The provisions of this section apply where the action is against two or more defendants jointly indebted and the summons and a copy of the complaint are served upon one or more but not upon all of them, in which case the judgment may be taken as prescribed in this section against all the defendants in like manner and with like effect as a judgment taken as prescribed in section thirty hundred and twenty of the code of civil procedure.

§ 27. A defendant against whom an action to recover upon contract or an action to recover a chattel is pending in said court, may at any time before answer, upon proof filed by affidavit that a person not a party to the action makes a demand against him for the same debt or property without collusion with him, apply to the court upon notice to that person and to the adverse party for an order to substitute that person in his place and to discharge him from liability to either, on his paying into court the amount of the debt or delivering the possession of the property or its value to such person as the court directs.

§ 28. The defendant in an action brought in the city court may require security for costs to be given where the plaintiff was,

when the action was commenced, either a person residing without the state or a foreign corporation, or where after the commencement of the action plaintiff ceases to be a resident of the state. A judge of said court must in such case make an order requiring the plaintiff within a time specified either to pay into court the sum of one hundred dollars to be applied to the payment of costs, if any are awarded against him, or at his election to file with the clerk or either judge an undertaking in the sum of one hundred dollars, and to serve a written notice of the payment or of the filing upon the defendant's attorney; and staying all other proceedings on the part of the plaintiff, except to review or vacate the order, until the payment or filing, and notice thereof, and, also, if an undertaking is given, for the allowance of the same. Thereafter except as herein otherwise provided and so far as consistent with the provisions of this act, the sections of the code of civil procedure from section thirty-two hundred and seventy-three to thirty-two hundred and seventy-seven inclusive are hereby made applicable to the city court of Troy. In a case herein specified if there are two or more plaintiffs the defendant cannot require security for costs to be given unless he is entitled to require it of all the plaintiffs.

§ 29. Except as hereinbefore provided all laws now in force relating to the city court of Troy and the judges thereof shall continue in force an effect.

§ 4. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed. But nothing contained in this act shall be held to affect any action now pending in the city court of Troy, or any appeal which has been taken from any judgment which has been rendered in the said court; and all such actions and appeals shall be proceeded with in accordance with the statute which was in force at the time such actions were commenced or such appeals were taken.

§ 5. This act shall take effect immediately.

Mr. Ahern moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 90 }
 { NOES 00 }

Those who voted in the affirmative, were

Allston	Delaney	Hatch	McMillan	Ruehl
Adler	Dempsey	Hawkins	Meister	Salyerds
Ahern	Dickinson	Hitchcock	Morgan	Scanlon
Allds	Doughty	Honeck	O'Connell	Seymour
Apgar	Duross	Irwin	Orr	Sherer
Babcock	Egan	Juengst	Phillips	Smith J E
Baum	Everett	Kaiser	Plank	Smith J T
Bedell	Fish	Keenan	Platt	Smith S W
Bennet	Fitzgerald	Kelly	Price	Snyder
Brill	Fordyce	Kelsey	Rainey	Sullivan
Brooks	Frisbie	Knipp	Rainey	Swarts
Burnett	Gardiner R	Landon	Reynolds	Thorn
Conger	Gardner CJ	Lewis M E	Richter	Treat
Cook	Graeff	Lewis T D	Rider	Vacheron
Coons	Griffith	Mains	Rierdon	Van Name
Cotton	Halpin	Mansfield	Robinson	Walrath
Daly	Hanford	Mathews	Rodenbeck	Weekes
Davis	Harris	McInerney	Ross	Wilson H

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the bill (No. 1798, Senate reprint No. 1523) entitled "An act to amend the County Law, in relation to the registration of dogs" (Int. No. 1073), with a message that they have concurred in the passage of the same with the following amendments:

Strike out all after the enacting clause and insert the following:

Section 1. Article six of chapter six hundred and eighty-six of the laws of eighteen hundred and ninety-two, entitled "An act in relation to counties, constituting chapter eighteen of the general laws," is hereby amended by adding at the end thereof nine new sections to be sections one hundred and twenty-eight to one hundred and thirty-six and to read as follows:

§ 128. Adoption by county of dog registration provisions.—The board of supervisors of any county may, by resolution adopted at an annual meeting, determine that the provisions of section one hundred and twenty-eight to one hundred and thirty-six,

both inclusive, of this article shall apply to such county after a date to be specified in such resolution, which date shall be subsequent to the last publication of the resolution as herein required. Such resolution shall also prescribe the annual registration fee to be paid within the several towns in such county for every dog over four months old. A certified copy of such resolution shall be filed in the offices of the secretary of state and of the county clerk of such county, and such resolution, together with sections one hundred and twenty-eight to one hundred and thirty-six, both inclusive, of this article shall be published once in each week for six successive weeks in at least two newspapers published in the county to be designated by the board of supervisors. After the date specified in such resolution which shall be subsequent to such publication no taxes upon dogs shall be assessed in any town or village in such county. The board of supervisors of such county may thereafter by resolution adopted, filed and published in like manner determine that the provisions of such sections shall not apply to such county; and after the date specified in such resolution the provisions of law for the assessment and collection of taxes on dogs shall apply to such county as if the resolution applying such sections had not been adopted.

§ 129. Payment of fees; issue of tags; definition of dog.—Within thirty days after the date specified in the resolution, every person resident within a town in such county owning or harboring a dog over four months old shall pay to the town clerk of the town in which he resides, the registration fee prescribed by such resolution; and every person who shall thereafter acquire or harbor such a dog for which such registration fee has not been paid shall pay such fee within ten days after acquiring or harboring the same. A fee so paid shall entitle such dog to registration for one year, and annually thereafter a like fee shall be paid by a person owning or harboring such dog. Upon the receipt thereof, the town clerk shall enter in a book kept for that purpose, the name of such owner or person, a description of such dog, and the date of the payment of the registration fee; and shall furnish for the use of such dog a suitable metallic tag stamped with the date of issuance and with a number corresponding with the registration number of such dog. Such tag shall be worn by such dog at all times during the year for which the registration fee shall be so paid. The town clerk shall furnish a duplicate of such tag, whenever the same shall be lost, upon payment of the cost thereof. The expense of procuring such tags shall be paid in the same manner as other town charges from the moneys received for registration fees. The

term dog as used in sections one hundred and twenty-eight to one hundred and thirty-six, both inclusive, of this article includes bitch.

§ 130. Duties of assessors.—The assessors of each town in such county shall annually, at the time of the completion of their assessment rolls as provided by law, make a list containing the name of every person resident within their town liable to pay a registration fee for dogs as provided by section one hundred and twenty-nine of this article, together with the number of dogs owned or harbored by such person, and forthwith deliver such list signed by them to the town clerk.

§ 131. Duty of town clerk.—The town clerk of each town in such county, when he shall be informed by such list or otherwise, that there is any dog which has not been registered, shall forthwith bring an action as prescribed in the next section against the owner of such dog or the person harboring the same, or he shall forthwith give written notice to any constable of the town requiring him to take such dog into his possession, and dispose of the same as prescribed in section one hundred and thirty-three of this article.

§ 132. Penalties; action therefor.—Every person liable to pay a registration fee for a dog who shall fail to pay the same as herein provided, or who shall knowingly permit any dog, owned or harbored by him, to be at large without wearing a tag issued by the town clerk, shall forfeit the sum of five dollars, to be recovered in an action brought before a justice of the peace of the town wherein the person owning or harboring such dog may be, in the name of such town, upon the complaint of the town clerk; and the justice before whom a judgment for such penalty is recovered shall direct in the execution issued upon such judgment, that, in case of the failure to collect the whole of such judgment besides costs, the dog for which such registration fee has not been so paid, or which has been so permitted to be at large, shall be taken into the possession of the constable receiving such execution and forthwith killed by shooting and thereupon it shall be the duty of such constable to take such dog into his possession and forthwith kill the same. A judgment so recovered shall not constitute a bar to a further action to recover such penalty brought subsequent to the recovery of such judgment so long as such violation shall continue, nor shall the recovery or collection of such judgment exempt the person against whom the same is recovered from a compliance with any provision of sections one hundred and twenty-eight to one hundred and thirty-six, both inclusive, of this article.

§ 133. Seizure of dogs not tagged or registered.—Each constable in such county shall after the expiration of such thirty days from the date specified in such resolution seize and keep in his possession, until disposed of as herein provided, every dog running at large in his county and not wearing such tag, and every dog which he shall be informed by the town clerk of his town by written notice. He shall forthwith post a notice in a conspicuous place in the office of the town clerk, containing a description of the dog so seized, and a statement of the time of the seizure thereof, and that the said dog will be killed at the end of seventy-two hours from the time of posting and serving such notice stating the hour of such posting, unless the same is registered and the fee for seizing the same as herein provided is paid within such time and shall also serve notice thereof upon the owner or person harboring such dog personally, if he be within such county and if he be not, by leaving the same at his residence with a person of suitable age and discretion. The constable shall at the end of seventy-two hours from the time of posting and serving such notice kill such dog by shooting, unless the same shall before the expiration of that time be registered as provided in section one hundred and twenty-nine, and in addition thereto the sum of two dollars be paid to such constable for his fees, in which case such dog shall be released. Every constable shall be entitled to receive a fee of one dollar for each dog seized and killed by him under the provisions of this section or of section one hundred and thirty-four of this article, to be paid as other town charges are paid from the moneys received for registration fees.

§ 134. The value of any dog destroyed by any constable except as herein provided may be recovered by the owner of such dog from either such constable or the town wherein such dog is destroyed.

§ 135. Disposition of registration fees and penalties.—The town clerk shall at the end of every calendar month pay to the supervisor all fees received by him during such month for the registration of dogs and bitches under this article, less the sum of twenty-five cents for each dog and bitch registered, which may be retained by him as his fee therefor. A justice of the peace before whom a penalty is recovered as provided in section one hundred and thirty-two of this article, shall forthwith pay one-half thereof, when collected, to the supervisor, and one-half to the town clerk for his fees in making the complaint in the action in which such penalty is recovered. The money paid to the supervisor pursuant to this section on account of registration fees and penalties shall, except as otherwise provided

herein, be applied for the same purposes as provided by law with respect to taxes collected upon dogs.

§ 136. Actions for injury or destruction of unregistered dogs.—No person shall hereafter maintain an action for an injury to or the destruction of any dog, unless it shall affirmatively appear that such dog has been duly registered as provided by section one hundred and twenty-nine of this article. Nothing in this act shall apply to an incorporated city of the state.

§ 2. This act shall take effect immediately.

Mr. Kelsey moved to concur in the Senate amendment.

Mr. Speaker put the question whether the House would concur in said amendment, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 90 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Coughtry	Hammond	Marson	Ross
Adler	Darrison	Harburger	McKeown	Sanders
Ahern	Davis	Hasenflug	McQuade	Schneider
Allds	Delaney	Hatch	Meister	Seymour
Apgar	Dempsey	Henry	Morgan	Smith A R
Babcock	Dickey	Hitchcock	O'Brien	Smith J L
Baker	Doughty	Honeck	O'Malley	Smith S W
Baum	Duross	Irwin	Patton	Snyder
Bell	Ellis	Juengst	Phipps	Stevens
Blackwell	Everett	Kaiser	Plank	Swarts
Brill	Fish	Keenan	Poth	Swift
Brooks	Fitzgerald	Kelly	Price	Traub
Bryan	Fordyce	Kelsey	Rainey	Ulmann
Burns	Frisbie	Knipp	Remsen	Vacheron
Conger	Gardiner R	Landon	Richter	Waite
Cook	Geoghan	Lewis M E	Rierdon	Walrath
Coons	Griffith	Lynn	Roberts	Weber
Costello	Halpin	Mansfield	Rodenbeck	Wilson H

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendment of the Senate thereto.

A message was received from the Senate, in the words following:

IN SENATE, *April 19, 1901.*

Pursuant to concurrent resolution of the Senate and Assembly, the Governor returned the Senate bill No. 1561, entitled "An act to amend chapter 452 of the Laws of 1896, entitled 'An act to amend the Banking Law.'" (Rec. No. 24.)

The vote upon the final passage of said bill having been reconsidered, on motion of Mr. Marshall, and by unanimous consent, the same was amended as follows:

Strike out all after the enacting clause and insert the following:

"Section 1. Section one hundred and sixty-one of chapter four hundred and fifty-two of the laws of eighteen hundred and ninety-six is hereby amended to read as follows:

"§ 161. Directors.—The affairs of every such corporation shall be managed and its corporate powers exercised by a board of directors of such number, not less than thirteen nor more than **[twenty-four]** thirty, as shall, from time to time, be prescribed in its by-laws. No person can be director who is not the holder of at least ten shares of the capital stock of the corporation. The persons named in the organization certificate, or such of them respectively as shall become holders of at least ten shares of such stock, shall constitute the first board of directors, and may add to their number not exceeding the limit of **[twenty-four]** thirty, and shall severally continue in office until others are elected to fill their respective places. Within six months from the time when such corporation shall commence business, the first board of directors shall classify themselves by lot into three classes, as nearly equal as may be. The term of office of the first class shall expire on the third Wednesday of January next following such classification; the term of office of the second class shall expire one year thereafter; and the term of office of the third class shall expire two years thereafter. At or before the expiration of the term of the first class, and annually thereafter, a number of directors shall be elected equal to the number of directors whose term will then expire who shall hold their offices for three years or until their successors are elected. Such election shall be held at the office of the corporation and at such time and upon such public notice not less than ten days, by advertisement in at least one newspaper approved by the superintendent of banks published in the city where such corporation is located, as shall be prescribed in the by-laws. In case of failure to elect any director on the day named, the directors whose terms of office do not that year expire, may proceed to elect a number of directors equal to

the number in the class whose term that year expires, or such number as may have failed of re-election. The persons so elected, together with the directors whose terms of office shall not that year expire, shall constitute the board of directors until another election shall be held according to law. Vacancies occurring in the intervals of election shall be filled by the board. Each director when appointed or elected shall take an oath that he will, so far as the duty devolves on him, diligently and honestly administer the affairs of such corporation and will not knowingly violate, or willingly permit to be violated, any of the provisions of law applicable to such corporation, and that he is the owner in good faith and in his own right, of the number of shares of stock required by this section, subscribed by him or standing in his name on the books of the corporation, and that the same is not hypothecated or in any way pledged as security for any loan or debt. Such oath shall be subscribed by the director making it, and certified by the officer before whom it is taken, and shall be immediately transmitted to the superintendent of banks and filed and preserved in his office.

"§ 2. This act shall take effect immediately."

Said bill as amended, was reprinted, re-engrossed, and having been on the desks of the members three legislative days, was passed and ordered sent to the Assembly for concurrence.

By order of the Senate,

JAMES S. WHIPPLE,

Clerk.

Mr. H. Wilson moved to reconsider the vote on the final passage of said bill.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 113 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Dickinson	Honeck	O'Brien	Seymour
Adler	Doughty	Hyman	O'Connell	Smith A R
Allds	Dusinbery	Irwin	O'Malley	Smith J E
Allston	Egan	Juengst	Patton	Smith J L
Axtell	Everett	Kaiser	Phillips	Smith J T

Baker	Fish	Keenan	Phipps	Smith S W
Bedell	Fitzgerald	Kelly	Platt	Smith W H
Bell	Fitzpatrick	Kelsey	Poth	Snyder
Blackwell	Fordyce	Landon	Prince	Stevens
Bradley	Frisbie	Leggett	Rainey	Sullivan
Brooks	Galbraith	Lewis M E	Reilley	Swarts
Bruckner	Gardiner R	Lewis T D	Remsen	Swift
Burnett	Geoghan	Lynn	Reynolds	Traub
Burns	Griffith	Mains	Rider	Treat
Conger	Hallock	Mansfield	Roberts	Ulmann
Cook	Hammond	Marson	Robinson	Vacheron
Coons	Hanford	Mathews	Rodenbeck	Van Name
Costello	Harburger	McInerney	Rogers	Waite
Cotton	Hasenflug	McKeown	Ruehl	Walrath
Daly	Hatch	McMillan	Salyerds	Weber
Darrison	Hawkins	McQuade	Sanders	Weeks
DeGraw	Henry	Morgan	Schneider	Wilson H
Dempsey	Holsten	Nye		

Mr. Speaker then put the question whether the House would agree to the final passage of said bill as amended, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 96 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Delaney	Harburger	McInerney	Ruehl
Adler	Dickey	Harris	McMillan	Sanders
Allds	Dooling	Hasenflug	McQuade	Schneider
Allston	Duross	Hawkins	Morgan	Sierer
Apgar	Dusinbery	Henry	Nye	Smith J E
Babcock	Ellis	Hitchcock	O'Brien	Smith J L
Baker	Everett	Holsten	O'Malley	Smith S W
Bedell	Fish	Honeck	Orr	Snyder
Bennet	Fisher	Irwin	Phillips	Stevens
Bradley	Fitzpatrick	Juengst	Plank	Sullivan
Brooks	Fordyce	Kaiser	Poth	Swift
Bruckner	Frisbie	Keenan	Prince	Traub
Burnett	Galbraith	Kelly	Rainey	Treat
Cadin	Gardner C J	Knipp	Remsen	Vacheron
Cook	Geoghan	Landon	Richter	Van Name

Coons	Griffith	Lewis M E	Rierdon	Walrath
Cotton	Hallock	Lewis T D	Roberts	Weber
Coughtry	Halpin	Mains	Rodenbeck	Weekes
Darrison	Hanford	Marson	Ross	Wilson H
Davis				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have reconsidered the vote on the final passage of said bill, and as amended have again passed the same.

A message was received from the Senate, in the words following:

IN SENATE, *April 18, 1901.*

Pursuant to concurrent resolution of the Senate and Assembly, the Governor returned the Senate bill (No. 1122) entitled "An act making an appropriation for the Society for the Reformation of Juvenile Delinquents." (Rec. No. 308.)

The vote upon the final passage of the said bill having been reconsidered, on motion of Mr. Higgins, and by unanimous consent, the same was amended as follows:

Page 2, commencing with the word "for" in line 9, strike out all down to and including the word "dollars" in line 13.

Said bill as amended, was reprinted, re-engrossed, and having been on the desks of the members three legislative days, was passed and ordered sent to the Assembly for concurrence.

By order of the Senate,

JAMES S. WHIPPLE,

Clerk.

Mr. Allds moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 111 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Cooley	Griffith	Mansfield	Rogers
Adler	Costello	Mathews	Marson	Ross
Ahern	Cotton	Hallock	McInerney	Salyerds

Allds	Coughtry	Hammond	McKeown	Scanlon
Ahern	Darrison	Harburger	McMillan	Schneider
Allds	Davis	Harris	McQuade	Sherer
Allston	DeGraw	Hawkins	Morgan	Smith A R
Axtell	Delaney	Henry	Nye	Smith J L
Babcock	Dempsey	Hitchcock	O'Connell	Smith S W
Baker	Dickey	Honeck	O'Malley	Smith W H
Baum	Dooling	Hyman	Patton	Stevens
Bell	Doughty	Juengst	Phillips	Sullivan
Bennet	Dusinbery	Kaiser	Plank	Swift
Blackwell	Egan	Keenan	Poth	Thorn
Bradley	Everett	Kelly	Price	Treat
Brill	Fancher	Kelsey	Prince	Ulmann
Brooks	Fisher	Knipp	Reilley	Van Name
Bruckner	Fitzpatrick	Landon	Remsen	Waite
Bryan	Fowler	Lewis M E	Richter	Walrath
Burnett	Galbraith	Lewis T D	Rierdon	Weber
Burns	Gardner C J	Lynn	Roberts	Weekes
Cadin	Graeff	Mains	Robinson	Wilson H
Cook				

Mr. Speaker then put the question whether the House would agree to the final passage of said bill as amended, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 106 }
 } NOES 00 }

Those who voted in the affirmative, were

Adams	Daly	Hanford	Mansfield	Salyerds
Adler	Darrison	Harburger	Marson	Scanlon
Ahern	DeGraw	Hatch	McInerney	Schneider
Allston	Dempsey	Hawkins	McKeown	Seymour
Apgar	Dickey	Henry	McQuade	Smith A R
Babcock	Dickinson	Hitchcock	Meister	Smith J E
Baker	Dooling	Honeck	Nye	Smith J L
Bedell	Doughty	Hyman	O'Brien	Smith S W
Bell	Dusinbery	Irwin	O'Malley	Smith W H
Bennet	Egan	Juengst	Patton	Snyder
Bradley	Everett	Kaiser	Phipps	Sullivan
Brill	Fancher	Keenan	Platt	Swarts

Brooks	Fish	Kelly	Price	Thorn
Bruckner	Fitzgerald	Kelsey	Prince	Traub
Burnett	Fitzpatrick	Knipp	Reilley	Treat
Burns	Fordyce	Landon	Reynolds	Vacheron
Cadin	Frisbie	Leggett	Richter	Van Name
Conger	Gardiner R	Lewis M E	Rierdon	Walrath
Cook	Geoghan	Lewis T D	Robinson	Weber
Cooley	Griffith	Lynn	Rodenbeck	Weekes
Costello	Halpin	Mains	Ross	Wilson H
Cotton				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have reconsidered the vote on the final passage of said bill, and as amended have again passed the same.

Mr. Fowler offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That Assembly bill (No. 2069) entitled "An act to amend the Penal Code and the Code of Criminal Procedure, in relation to the use of sidewalks" (Int. No. 553), be returned to the Governor.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

The Senate returned the concurrent resolution ordering the return to the Governor of Assembly bill (No. 2069) entitled "An act to amend the Penal Code and the Code of Criminal Procedure, in relation to the use of sidewalks" (Int. No. 553), with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate sent for concurrence a resolution in the words following:

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return of Senate bill No. 580, entitled "An act to amend article 1, section 52 of chapter 690 of the Laws of 1892, as amended by chapter 725 of the Laws of 1893, constituting chapter 38 of the general laws and known as the Insurance Law" (Rec. No. 297), for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

Also the following:

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return of Senate bill No. 1434, entitled "An act to amend section 56 of the Code of Criminal Procedure relating to jurisdiction of courts of special sessions." (Rec. No. 423.)

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

A message from the Senate was received and read requesting the return of Assembly bill No. 2163, entitled "An act to amend the Forest, Fish and Game Law, in relation to fishing through the ice in the waters of Washington county." (Rec. No. 578.)

Mr. Speaker put the question whether the Assembly would grant such request, and it was determined in the affirmative.

Ordered, That the Clerk return said bill to the Senate.

The Senate returned the concurrent resolution ordering the return to the Governor of Assembly bill (No. 1219) entitled "An act authorizing the Court of Claims to hear and determine the alleged claims against the State for damages, permanent or otherwise, arising from the rebuilding and raising the dam at Oswego Falls in the Oswego river" (Int. No. 1004), with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the concurrent resolution ordering the return to the Governor of Assembly bill (No. 152) entitled "An act to confer jurisdiction upon the Court of Claims to hear and determine the claim of Barbara Eyer Schaub, executrix and legatee under the last will and testament of Jacob Schaub, deceased, against the State of New York, for money deposited

by said Jacob Schaub in P. R. Westfall's bank at Lyons, to the credit of the auditor of the canal department, and lost by a failure of said bank " (Int. No. 152), with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the bill (No. 2284) entitled "An act making appropriations for certain expenses of government and supplying deficiencies in former appropriations " (Int. No. 1375), with a message that they have assented to the request for a committee of conference thereon, and that the President has appointed as such committee on the part of the Senate Messrs. Higgins, Raines and Martin.

The Senate returned the following entitled bill:

"An act to amend chapter 259 of the Laws of 1900, entitled 'An act to change the name of the justices' court of the city of Troy to the 'city court of Troy,' to prescribe the manner of the appointment of the clerk thereof and of marshals and attendants upon said court, to increase the jurisdiction thereof, to abolish the office of constable in the city of Troy and to regulate the practice in said court,' relating to the practice in said court." (No. 1916, Senate reprint No. 1550, Int. No. 1250.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Troy.

The Senate returned the following entitled bills, with a message that they have concurred in the passage of the same, without amendment:

"An act to authorize the abandonment of the Ohio Basin Slip, in the city of Buffalo, between the south line of Elk street and the Main and Hamburg street canal, the abatement of the nuisance created thereby and vesting the title and ownership to the lands and premises included therein in said city." (No. 1733, Int. No. 1294.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Buffalo.

"An act to authorize and empower the city of Rochester to enter into a contract with the Rochester Railway Company, adjusting and settling all differences between the city and said railway company as to the amount due and owing from the company to the city for certain pavements heretofore made by the

city pursuant to section 98 of the Railroad Law, and providing for the payment of the same." (No. 2550, Int. No. 1679.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Rochester.

"An act to amend chapter 568 of the Laws of 1895, entitled 'An act to incorporate the city of Johnstown,' relative to opening, altering, extending and laying out streets." (No. 2508, Int. No. 1599.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Johnstown.

The Senate returned the bill (No. 2582) entitled "An act to amend the Tax Law, relative to foreign and domestic corporations" (Int. No. 301), with a message that said bill was passed as further amended.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the following entitled bills:

"An act to amend the County Law, in relation to the registration of dogs." (No. 1798, Senate reprint No. 1523, Int. No. 1073.)

"An act to amend the Forest, Fish and Game Laws, relative to taking fish with nets through the ice in certain waters of Dutchess county." (No. 1304, Senate reprint No. 1495, Int. No. 1057.)

"An act to amend chapter 687 of the Laws of 1894, entitled 'An act to regulate the commitment and discharge of certain prisoners, tramps and vagrants in Westchester county, and to prescribe the effect thereof, to provide for the support of the prisoners in the jail of the county of Westchester and to fix the duties and compensation of the sheriff of said county and of certain employes in the jail of said county,' as amended by chapter 420 of the Laws of 1895 and by chapter 310 of the Laws of 1899, relative to the powers and duties of sheriff." (No. 2116, Senate reprint No. 1520, Int. No. 1481.)

"An act to amend the Insurance Law in relation to insolvent corporations and impairment of capital stock." (No. 2129, Senate reprint No. 1543, Int. No. 1348.)

"An act to amend the Highway Law, in relation to the use of highways by automobiles or motor vehicles and requiring the owners of such vehicles to register with the Secretary of State." (No. 1865, Senate reprint No. 1521, Int. No. 379.)

"An act to amend the Insurance Law, relative to the standard fire insurance policy to be prescribed and used." (No. 1904, Senate reprint No. 1544, Int. No. 1368.)

"An act to amend chapter 182 of the Laws of 1898, entitled 'An act for the government of cities of the second class,' in relation to the park commissioners." (No. 376, Senate reprint No. 1519, Int. No. 361.)

"An act to amend the Forest, Fish and Game Law empowering the Forest, Fish and Game Commission to name places of refuge for game." (No. 1859, Senate reprint No. 1447, Int. No. 1144.)

Ordered, That the Clerk deliver said bills to the Governor

The Senate returned the following entitled bills, with a message that they have concurred in the passage of the same:

"An act to provide for repairing and reconstructing the banks and channels of Glen creek, in the village of Watkins, and making an appropriation therefor." (No. 80, Int. No. 80.)

"An act to amend section 651 of the Penal Code, relative to unlawful interference with electric meters and wires." (No. 2456, Int. No. 1222.)

"An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the claim or claims of the Brandow Printing Company and to render judgment therefor." (No. 1934, Int. No. 1389.)

"An act to amend chapter 986 of the Laws of 1896, entitled 'An act to incorporate the Patent and Copyright Protective Association of New York,' as amended by chapter 496 of the Laws of 1898." (No. 2526, Int. No. 1296.)

"An act to amend chapter 355 of the Laws of 1868, entitled 'An act to authorize and require the Comptroller of the State to settle with the treasurers of the counties of Hamilton, Warren and Essex in relation to certain non-resident taxes,' relative to the account to be stated by the Comptroller." (No. 2338, Int. No. 1386.)

"An act to amend the Forest, Fish and Game Laws, to prevent fishing in the waters of Whaley pond, in Dutchess county, from January 1st to May 31st." (No. 2146, Int. No. 1500.)

"An act to provide for the construction of a vertical wall on the south side of the Erie canal, from the west side of bridge

No. 131 of section 10 of the Erie canal, and making an appropriation therefor." (No. 2378, Int. No. 320.)

"An act reappropriating an appropriation made by chapter 613, Laws of 1899, for the construction of a bridge over the Champlain canal, at Ontario street, Cohoes, and making an additional appropriation therefor." (No. 1420, Int. No. 773.)

"An act to exempt from taxation certain lands, premises and property in Franklin county, owned by the Sisters of Mercy of the diocese of Ogdensburg." (No. 2423, Int. No. 1621.)

"An act relative to the powers and liabilities of the Farmers' Loan and Trust Company and the qualifications of its directors." (No. 2000, Int. No. 1426.)

"An act for the relief of the Patent and Copyright Protective Association of New York." (No. 2013, Int. No. 1441.)

"An act making an appropriation for the settlement of the balance due upon the contract for legislative printing, which expired October 1, 1899. (No. 2502, Int. No. 1665.)

"An act to amend the Code of Civil Procedure in relation to bringing in additional parties." (No. 2246, Int. No. 1536.)

"An act to amend chapter 55 of the Laws of 1901, entitled 'An act to provide for rebuilding and equipping the State normal school at Fredonia, and making an appropriation therefor,' by authorizing the acquisition of additional land for the site of such schools." (No. 2357, Int. No. 1586.)

"An act to make an appropriation for the payment of the judgments of the Court of Claims, in claims other than those on account of the canals of this State." (No. 2291, Int. No. 1564.)

"An act to amend section 18 of chapter 21 of the Laws of 1886, entitled 'An act providing for commutation of sentences for good behavior of convicts in the prisons and penitentiaries in this State,' relative to insane criminals." (No. 2481, Int. No. 1615.)

"An act to provide for construction of a stone arch over the Canastota creek over the mouth of the State sewer emptying into said creek near the northerly side of Chappel street, in the village of Canastota, and making an appropriation therefor." (No. 2058, Int. No. 1453.)

"An act to amend section 2 of chapter 341 of the Laws of 1895, in relation to the literature fund to be distributed to academic schools." (No. 2369, Int. No. 1598.)

"An act to make an appropriation for the payment of the judg-

ments of the Court of Claims in claims arising on account of the canals of this State." (No. 2292, Int. No. 1565.)

"An act to amend section 3208 of the Code of Civil Procedure, relative to the service of summons and complaint, and proof of service." (No. 2215, Int. No. 349.)

"An act to provide for deepening and straightening Oak Orchard creek, and making an appropriation therefor." (No. 786, Int. No. 690.)

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the bill, No. 2457, Senate reprint No. 1221) entitled "An act to provide for the support and maintenance of the several State prisons, and the Eastern New York Reformatory, and for the ordinary repairs thereof." (Int. No. 264.)

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the following entitled bills, with a message that they have concurred in the passage of the same, without amendment:

"An act to amend the Forest, Fish and Game Law, relative to Mongolian ring-necked and English pheasants, in the county of Suffolk." (No. 1266, Int. No. 1029.)

"An act to amend the Railroad Law in relation to tickets." (No. 1273, Int. No. 1036.)

"An act to amend chapter 15 of the Laws of 1843, entitled 'An act to incorporate the Westfield Cemetery Corporation,' in relation to the amount of land which such corporation is authorized to acquire and hold." (No. 2529, Int. No. 1674.)

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the following entitled Senate bills, with a message that they have concurred in the amendments of the Assembly made thereto:

"An act to amend chapter 428 of the Laws of 1900, entitled 'An act supplemental to chapter 469 of the Laws of 1892,' entitled 'An act to restore to the owners of water power on Black river the water diverted by the State for canal purposes,' and making an appropriation therefor." (No. 1225, Assembly reprint No. 2540, Rec. No. 390.)

"An act to provide for the representation of the State of New York at the South Carolina, Interstate and West Indian Exposition at Charleston, S. C., and making an appropriation therefor." (No. 1115, Assembly reprint No. 2510, Rec. No. 273.)

"An act to amend chapter 677 of the Laws of 1892; entitled 'the Statutory Construction Law.'" (No. 1073, Assembly reprint No. 2484, Rec. No. 349.)

"An act to amend the Domestic Commerce Law, in relation to the size of apple, pear, quince and potato barrels." (No. 473, Assembly reprint No. 2376, Rec. No. 194.)

Ordered, That the Clerk return said bills to the Senate.

Mr. Allds moved that when the House adjourn it be to meet on Monday at 2 o'clock p. m.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

On request of Mr. Kelsey, the Senate bill (No. 1604) entitled "An act dividing the State into congressional districts" (Rec. No. 493), was referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

On request of Mr. Allds, the Senate bill (No. 1175) entitled "An act to remit certain taxes heretofore imposed upon the lands of the Roman Catholic Orphan Asylum in the city of New York" (Rec. No. 319), was referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

On request of Mr. Kelsey, the Senate bill (No. 1546) entitled "An act to amend the Banking Law by providing that the expenses incurred and services performed on account of any foreign bank or banking corporation, and the examination thereof or its agencies, shall be defrayed by said foreign bank or banking corporation or its agencies located in this State" (Rec. No. 474), was referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

On request of Mr. Mansfield, the Senate bill (No. 1163, Assembly reprint No. 2576) entitled "An act to amend chapter 222 of the Laws of 1866, entitled 'An act to amend the charter of the village of Saratoga Springs and the several acts amendatory thereof'" (Rec. No. 401), was referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

On request of Mr. Adler, the bill (No. 2596) entitled "An act to amend the Penal Code in relation to the sale or delivery of

uncooked flesh foods on Sunday " (Int. No. 1699), was referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

On request of Mr. Cotton, the bill (No. 160) entitled "An act to exempt from taxation the property of certain medical societies situated in cities of the first class" (Int. No. 160), was referred to the committee on rules for the purpose of making said bill a special order on second reading.

On request of Mr. M. E. Lewis, the Senate bill (No. 652) entitled "An act to provide for the clearing of Brown's Tract inlet, South inlet and Marion river on Township 6 and 40, Totten & Crossfield's purchase, Hamilton county, and the clearing of the shores thereof, and making an appropriation therefor" (Rec. No. 291), was referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

On request of Mr. Allston, the Senate bill (No. 1016) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Charles D. Thomas as administrator of the goods, chattels and credits of Jennie M. Thomas, deceased, against the State of New York for damages for the death of the said Jennie M. Thomas, deceased" (Rec. No. 486), was referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

On request of Mr. Apgar, the bill (No. 1388) entitled "An act to fix and establish the annual salary of the county judge of Westchester county, and repealing section 222 of chapter 686 of the Laws of 1892, so far as it relates to Westchester county" (Int. No. 970), was referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

On request of Mr. Doughty, the Senate bill (No. 798) entitled "An act to provide for the acquisition of additional land for the Creedmoor rifle range, and making an appropriation therefor" (Rec. No. 178), was referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

On request of Mr. Burnett, the Senate bill (No. 821) entitled "An act to further amend chapter 909 of the Laws of 1896, entitled 'An act in relation to the elections, constituting chapter 6 of the general laws'" (Rec. No. 361), was referred to the com-

mittee on rules for the purpose of making said bill a special order on second and third reading.

On request of Mr. Burnett, the Senate bill (No. 820) entitled "An act to amend chapter 909 of the Laws of 1896, entitled 'An act in relation to the elections, constituting chapter 6 of the general laws,' relative to challenges" (Rec. No. 360), was referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

On request of Mr. Bennet, the Senate bill (No. 1503) entitled "An act in relation to the commissioners of the Palisades Interstate Park, and making an appropriation therefor" (Int. No. 914), was referred to the committee on rules for the purpose of making said bill a special order on second and third reading.

On motion of Mr. Allds, the House adjourned.

MONDAY, APRIL 22, 1901.

The House met pursuant to adjournment.

Prayer by Rev. Edwin Forrest Hallenbeck.

On motion of Mr. Kelsey, the reading of the journal of yesterday was dispensed with and the same was approved.

The Speaker presented the twenty-ninth annual report of Le Contenlx St. Mary's Institution for the Improved Instruction of Deaf-Mutes; which was laid upon the table and ordered printed.

(See Document.)

Also, annual report of State Historian; which was laid upon the table and ordered printed.

(See Document.)

Also, sixth annual report of the American Scenic and Historic Preservation Society; which was laid upon the table and ordered printed.

(See Document.)

Also, report of the special committee of the Assembly of the Legislature of 1901 on Statutory Revision Commission bill; which was laid upon the table and ordered printed.

(See Document.)

By unanimous consent,

Mr. Adler introduced a bill entitled "An act to amend the

Penal Code, in relation to the sale or delivery of uncooked flesh foods on Sunday" (Int. No. 1699), which was read the first time.

On motion of Mr. Adler, and by unanimous consent, said bill was read the second time, and ordered to a third reading, and referred to the committee on rules.

The Senate sent for concurrence the following entitled bills:

"An act to incorporate the New York Incorporation Company" (No. 1582, Rec. No. 503), which was read the first time and referred to the committee on rules.

"An act to authorize the reconstruction of wrought iron or steel and removal of canal bridge No. 185 to a point 137.5 feet north of the south line of farm lot 98, in the town of Tonawanda, Erie county, New York, and making an appropriation therefor" (No. 626, Rec. No. 501), which was read the first time and referred to the committee on rules.

"An act to provide for dredging Scajaquada creek, in the city of Buffalo" (No. 1157, Rec. No. 502), which was read the first time and referred to the committee on rules.

"An act dividing the State into Congressional districts" (No. 1604, Rec. No. 493), which was read the first time and referred to the special committee on Congressional apportionment.

"An act to amend the Highway Law, in relation to the use of highways" (No. 1571, Rec. No. 492), which was read the first time and referred to the committee on rules.

"An act to relieve the congestion and facilitate the traffic on the New York and Brooklyn bridge, and to improve and extend the footpaths, roadways, railway tracks and other facilities for the use of pedestrians, vehicles and railway passengers at the westerly or Manhattan terminal of said bridge" (No. 1572, Rec. No. 491), which was read the first time and referred to the committee on rules.

Mr. Axtell, from the special committee on Adirondack lands, presented a report in the words following:

Mr. Axtell offered for the consideration of the House a resolution, in the words following:

Resolved, That the Speaker of the Assembly be, and hereby is authorized to appoint seven members of the Assembly, who shall be a special committee of this body with full power and authority to investigate, all and singular, the following subjects,

viz.: What shall constitute the proper boundaries of the State park, what lands, if any, now owned by the State outside of the boundaries of said park, should be sold and what additional lands, if any, within its boundaries should be purchased by the State; what additional legislation is required to preserve the forests and provide for their development and use; also, whether or not the Game and Forest Laws are being violated and, if so, what remedial measures are necessary to secure their proper enforcement. Such committee shall have full power to prosecute its inquiries in every direction necessary to arrive at a full and accurate knowledge of said subject: and to enable it to obtain and report the fact in reference thereto.

Said committee is hereby authorized to employ a clerk and such other employes as it may find necessary, and to incur necessary expenses for committee rooms, traveling and hotel accommodations. It shall have the power to require the production before it of any books, papers or documentary evidence of any character, to compel the attendance of, and examine any witness. Such production of documents or attendance of witnesses may be required by subpoena, signed by the chairman or acting chairman, of said committee, and served by the person or persons whom he may designate. Any member of said committee may administer the oath to any witness before it, and shall exercise and enjoy all the powers, privileges and authority of a legislative committee with full power to enforce its direction and mandates. Such committee may meet after the adjournment of this legislature with power to sit outside the city of Albany and shall report to the next legislature the result of such investigation with such recommendations and proposed legislation as in its judgment, the public interests require.

The expense of such investigation, not to exceed \$5,000, shall be paid out of the appropriation for the contingent expenses of the legislature.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

About June 1, 1900, the Speaker appointed the following committee: Messrs. Axtell of Delaware, Fish of Madison, Bryan of Jefferson, Hitchcock of Warren, T. D. Lewis of Oswego, Fordyce of Cayuga, DeGraw of Kings, Seims of New York and Harburger of New York.

The first meeting of the committee was held at Baggs hotel in the city of Utica on the 11th day of June, 1900, and organized by the selections of Mr. Axtell as chairman, Thomas McGill, clerk,

Robert Douglass messenger. After such organization the committee, accompanied by Frank S. Johnson, sergeant-at-arms of the Assembly, departed for Bisby Lodge on upper Bisby lake in the county of Herkimer, via the Adirondack railroad from Utica to McKeever, Herkimer county, a lively lumbering town on Moose river, where the large mills of the Moose River Lumber Company are located. From McKeever the journey of nine miles to the landing on the south shore of Woodhull lake was made in buckboard wagons by a private road through the forest owned by the Moose River Company, and from which most of the soft wood timber had been removed. The greater part of the remaining trees are birch, beech and maple, many of them of magnificent size and proportions.

From the landing on the south shore of Woodhull lake the journey was made in a small steamer to the north end of the lake, from whence some of the party proceeded by wagon and some on foot for about a mile over the ridge between Woodhull, first Bisby lake to Bisby Lodge. First Bisby lake is about a mile long, from a quarter to a third of a mile in width and surrounded, except at its outlet, by high hills clothed with virgin forests of spruce, hemlock, beech, birch, maple and other deciduous trees. At the upper end of the lake the rocky shores rise almost perpendicularly about 500 feet, and the foot of the lake is a beautiful peninsula upon which a gentleman from Rochester has located a large and commodious, rustic camp which, with his family, he occupies all the year.

First Bisby lake empties into second Bisby lake, the waters of which finally find their way into the Black river. Woodhull lake, which is about five miles long and from a quarter to a half mile in width, has a dam across its lower end, built and maintained by the State, and the lake is used as a reservoir for the storage and supply of water for the Erie canal via Woodhull creek, the Black river, Forestport feeder and Black River canal. All of the land in the vicinity of Woodhull lake, the Bisby lakes, Canachagula lake and between those lakes nearby to the Fulton chain on the north and south east to Honedaga lake is owned by private persons, corporations or associations, a large portion of it being owned by the Adirondack league. The land about the Bisby lakes, and much of the other league land is virgin forest, and if it could be bought for a reasonable price would be a desirable acquisition to the State lands.

Friday morning, June 15th, the committee left Bisby Lodge, going out to McKeever by the same route by which they had entered, and in the afternoon took a train on the Adirondack and St. Lawrence railroad for Paul Smith's, on lower St. Regis

lake, at which place they arrived about 6 o'clock in the afternoon.

There is very little State land in the vicinity of Paul Smith's, but the committee gleaned much valuable information from Mr. Smith, his sons and others in that vicinity. The committee remained at Paul Smith's until Sunday afternoon, June 17th, when they were driven across the country to the Algonquin hotel, at the foot of lower Saranac lake. The route was through a fairly good farming country, said to be the best in the Adirondack region, and the road was a very good one. Just before reaching the Algonquin we passed through Saranac village, located on the Saranac river, a short distance north of the foot of the lower Saranac lake. The village is a thriving one of about 2,000 inhabitants, and is a noted resort for persons afflicted with tuberculosis, many of whom are treated at Dr. Trudeau's sanatorium, located near the village, and many of whom stop at the many hotels in the village. The Algonquin is a fine hotel, situated upon high ground, commanding a fine view of the lake and of Mount Ampersand and other mountains in that vicinity. The lake is a very pretty one, about four miles long and from half a mile to a mile in width, and contains many beautiful islands, all of which, as well as nearly all the land surrounding the lake for several miles to the south and west, belongs to the State. It is all covered with forest, most of which has been "timbered," which means that the most of the spruce and hemlock timber of much value has been removed. Sunday evening and Monday morning some numbers of the committee explored the shores and water of the lake and several of the islands. In the forenoon of Monday, June 18th, the committee again entered carriages and were driven across the country a distance of about 12 miles to Saranac inn, located upon a handsome tract of level and well-kept land near the head of the upper Saranac lake, and from which can be obtained a broad and most charming view of the lake and the surrounding forests. The land for several miles to the north and west of Saranac inn is comparatively level, and from one-quarter to one-half of it is covered with small lakes and ponds, the water of nearly all of which are connected with the upper Saranac. Most of the land in the vicinity of the lake belongs to the State, but the best camp sites bordering on the lake are owned by individuals.

In the afternoon of June 18th the committee embarked in a small steamer at Saranac Inn for a journey to the foot of the lake, which is about eight miles long and varying from about a mile to a quarter of a mile in width. From Rustic Lodge, at

the lower end of the lake, the committee were taken in a lumber wagon a distance of about two miles to Axton, near the Racquette river, where they inspected the Cornell Forestry Experiment station, where experiments in the growing and planting of the various kinds of trees suitable or supposed to be suitable for growth in that locality are being carried on by the university on a tract of 30,000 acres conveyed to it by the State for that purpose. The station seemed to be in a fine, flourishing condition, and the committee found many thousand young trees in varying first stages of growth which in due time will be transplanted in the forest.

The committee returned to Saranac Inn Monday evening, and Tuesday morning, June 19th, went by rail from Saranac Inn station to Lake Placid, Essex county, where they stopped at the Stevens house, and remained until Wednesday morning, June 20th. Although the State owns much land in the vicinity of Lake Placid, none of the land immediately bordering on the lake belongs to the State. Wednesday morning, June 20th, the committee again entered carriages and were driven to the Cascade house, on the Cascade lakes, and about 16 miles southeast of Lake Placid, making a detour of a couple of miles on the way to North Elba, to visit the former home and the tomb of John Brown.

The highway from Lake Placid to Cascade is through a poor, sandy, farming country, and the ride was a very dusty and tiresome one. The Cascade lakes, so called, are a couple of small but very pretty ponds located between Pitch Off and Long Point mountains, and take their name from the fact that there are a couple of pretty cascades flowing into the upper lake down the almost perpendicular sides of Long Point mountain. There is an immense quantity of valuable iron ore in this vicinity, but it is too far from the market to be mined or smelted with profit.

We remained at Cascade, pressing our inquiries along about the same lines as at other stopping places, until Friday morning, June 22d, when we were driven down the valley of the outlet to the Cascade lakes to the famous Keene Valley road, and then up that beautiful and wonderful valley of the Ausable to St. Hubert's Inn, kept by Hon. Orlando Beede, where we remained until Saturday morning. St. Hubert's Inn is situated in the very heart of the Adirondack mountains, and from its broad verandas can be obtained excellent views of Bald Mountain, the Gothics, the Haystack and Mount Marcy, which is the highest peak in the State.

Friday afternoon the committee visited Echo lake, Lower Ausable lake and other points of interest in the vicinity. The Ausable lakes and the scenery in their immediate vicinity are

among the wildest in the Adirondack region. The lakes are situated between the high mountains, Indian Face and Mt. Saberle on the southeast and Restagona and Haystack on the northeast, and the sides of the mountains rise in many places for hundreds of feet, almost perpendicularly from the waters of the lake, so much so that there is no trail around the lower lake, and the only way to get from one lake to the other is by means of row boats. The lakes are the headwaters of the famous Ausable river, which drains all the territory from White Face mountain north of Lake Placid, south to Mount Marcy, Mount Dix and the Haystack, and flows into Lake Champlain at Ausable Point, a short distance below Port Kent.

A syndicate of Philadelphia gentlemen own a tract of 30,000 acres of virgin forest about the Ausable lakes and reaching up almost to the very doors of St. Hubert's Inn. From information which the committee obtained it is of the opinion that the fish and game are better protected upon this private preserve than at any other place in the Adirondack region, and much better than upon the lands belonging to the State.

Between the Cascade lakes and St. Hubert's Inn, on Long Point Mountain, Mount Porter, Big Slide and Wolf's Jaw mountains, and to the northeast of St. Hubert's Inn on Mount Boxter, Hopkins Peak, Knob Lock and Green Mountain, the State owns but little land, but it is being rapidly "timbered" and if not already, so much of it will doubtless be in the market.

Saturday morning, June 23d, the committee bade good-by to Brother Beede and were driven in a southeasterly direction twenty-six miles to Port Henry, from whence they took the Delaware and Hudson train to Albany and there dispersed, the members departing for their respective homes.

On Wednesday, August 15th, the members of the committee again assembled at Plattsburg, and attended by the sergeant-at-arms, started for a trip through the famous Ausable chasm, which they passed through on the 16th. From the chasm the route was up the Ausable, through the Keene valley and again to St. Hubert's Inn, where the committee arrived on the 17th. They remained at St. Hubert's Inn until the 21st, when they went to Cascade and from there to Blue Mountain lake and from there to Eagle bay, near the head of Fourth Lake on the Fulton chain. They remained at Eagle bay until August 25th, when the committee finally disbanded.

While at Eagle bay the committee learned that the late Ex-President Benjamin Harrison was with his family stopping at his camp on the south shore of Fourth Lake, and resolved to call upon and pay their respects to him. They did so and were very kindly and cordially received.

The committee would have been glad if they could have spared the time to have visited the State lands in the towns of Benson, Lake Pleasant, Morehouse and Wells, Hamilton county on the Sacandaga river and its tributaries, and in the towns of Stony Creek, Thurman, Johnsburg and Warren county, but for lack of time were obliged to forego that duty and pleasure.

The observation of the committee, together with the careful consideration which they have given to the matter, confirms them in the belief that the State should adhere to the forest policy which it has inaugurated in the purchase of Adirondack and Catskill lands. This policy should be vigorously pressed until our entire northern forest is included in the preserve.

A large portion of the Adirondack region is owned by clubs or individuals, who hold and control these areas as private preserves. It is conceded that the owners of these preserves protect their forests as well as if the property were owned by the State; but as there is no fixed tenure of title, it is only a question of time when these private preserves will pass into the hands of people who may not manage them in accordance with the public demand for forest preservation. The advantage of State ownership lies in its permanent, unchangeable title, which permits of a management that is based upon the requirements of future as well as present needs.

After deducting the State holdings and private preserves, the remaining tracts, which constitute about one-fourth of the Adirondack park, are owned by individuals or companies who are engaged in the manufacture of lumber or woodpulp. These parties will not sell their lands at any price which the State could afford to pay, because they need a certain portion of the timber to carry on their business. They have money invested in their mills and plant as well as in the timber lands; and if they sell the latter the other must become idle or worthless property. But this class of land owners are willing and ready to sell their forest properties at a low price, provided they are allowed to reserve certain species of softwoods which are necessary in maintaining their business. The timber thus reserved for cutting would not, on an average, constitute eighteen per cent. of the forest; and its removal under proper restrictions would not inflict any serious injury. These restrictions could be inserted in the conveyance, and their enforcement could be entrusted to the foresters in the employ of the commission.

In fact, two-thirds of the Adirondack region has already been lumbered for softwoods, but with so little detriment or change in the general appearance of the forest that the ordinary tourist sees no difference between the lumbered and the unlumbered portions. The attention of the committee was repeatedly called

to this feature, and the only way in which it could be determined whether any cutting had occurred on a mountain slope, was by noting the absence of spruce tops in the dense forests which still clothed the hillsides.

Furthermore, it is a well recognized fact among all who are conversant with the general principles of forestry, that under some conservative plan the matured trees in a forest can be cut and sold without injury to the general growth; and that by careful management the forest can thereby be improved, both in appearance and in the amount production. That a forest can be made to yield a permanent revenue by the sale of the matured timber, and not be injured in its protective functions, has been demonstrated for a century or more in European countries. Unfortunately, the restriction in the forestry clause of our new Constitution prevents the State from obtaining the large annual revenue which in all other countries accrues from the public forests; and the matured timber, which is readily convertible into money, is allowed each year to go to waste through old age, disease, insect blight, windfalls, or fire.

Your committee in studying the Adirondack map, on which the location of the State lands are shown in color, were strongly impressed with the disadvantages which must arise from the scattered conditions of the State holdings. Everywhere the lands belonging to the Forest Preserve are more or less interspersed with tracts or single lots that are owned by individuals. It must be evident to any one that the State forests can be managed and protected much better if the property were in large solid blocks instead of scattered parcels. And herein arises another urgent reason for the further purchase of Adirondack lands and consolidation of the Forest Preserve.

The State is already committed to this policy, and there should be no halting, hesitation, or half-way measure. Liberal appropriations by the Legislature at each session would be far cheaper in the end. Nothing is to be gained by delay, for it is evident that the price of Adirondack lands will never be less than they are now. Purchases should be pressed vigorously and the acquisition of the entire park completed within a few years, or else the price per acre may increase to such extent that the plan, with all the benefits dependent on it, will have to be abandoned.

Your committee in traveling through the Forest Preserve were surprised to find that the lands were absolutely without protection, aside from the occasional work of the firewardens, whose duties are confined to the extinguishing, instead of the prevention of fires. Throughout the entire preserve there are no patrols, rangers, or forest guards. This is not the fault of the

State Forestry Department; it is the fault of the State law, which fails to make any provision whatever for such work.

True, the State has a force of thirty-eight fish and game protectors who are expected to look after the forests so far as they can do so incidentally to their main duties; but of these thirty-eight officials only seven reside within the Adirondack park, the rest being scattered throughout the farming districts of the State. The seven fish and game protectors who live within the park boundaries are capable, efficient men. They are experienced guides or woodsmen, and, in their qualifications and discharge of their duties, no better men could be found. But they do not live in the forest; they reside at some distant village, from which they make trips into the woods in search of persons who have been violating the law. Their work consists in the detection and punishment of crime rather than in its prevention. They have exhibited a commendable efficiency in enforcing the penalties prescribed by law; but, unfortunately, the penalties and punishments inflicted have not had the deterrent effect which was expected.

It needs no argument to show that, with only one fish and game protector in a large county, the State lands cannot be properly watched and guarded, even if the fish and game protector had no additional duties, such as the prosecution of offenders, or attendance at the county court as a witness.

The forestry law should be changed so as to provide for the prevention as well as for the punishment of its violations; and the former should constitute the main feature of the law, and in the system of our forest police.

The Adirondack and Catskill forests cannot be properly managed and protected until there is a large force for forest patrols or rangers, to each of whom a specified district should be assigned, and which should be patrolled regularly every day of the year. The district should not be so large but what he can travel it daily. The ranger or patrol should be required to live in the woods, on his district, and not allowed to reside in some village miles away.

Under some such system there could be little or no violation of the fish and game law. No guide is going to start a hound on a township where there is a ranger travelling constantly. No poacher will risk imprisonment by making salt licks that may be discovered any hour. No fish or game will be killed out of season when the sound of the rifle will reach the ranger's cabin, or the sight of a fishing rod arouses suspicion. There will be no slaughter of deer by "crusting" when the train of the snowshoes will invite quick pursuit; nor will there be any timber stealing

when it is known that the sleigh track cannot escape attention. With a full and efficient force of rangers the fish and game protectors would be left free to exercise their duties in the territory outside the lands of the preserve, and greater efficiency would thereby be obtained throughout the entire territory.

Again, the most important part of forestry work is the prevention of fire, and this can be accomplished only by constant patrolling. With some such system the ranger or patrol would keep a close watch on the fishermen, hunters, and tourists, through whose carelessness most of our forest fires originate. In patrolling his territory properly the ranger would see or hear of each party that came on to his district. He would caution them against carelessness in this respect, and if any parties left a camp or coffee fire burning, or were guilty of any other negligence, he would have the evidence necessary to insure their conviction of this flagrant violation of the forest law.

It is true that there is a large force of town fire-wardens scattered throughout the Adirondacks. But their duties do not commence until after the fire has started; the duties of the rangers are exercised before the fire starts. Firewardens are for the extinguishing of fires; patrols and rangers are for the prevention of fires. This is an important distinction.

The value of the patrol system became plainly evident in the dry season of 1899, during which the forest fires were more numerous and extensive than in any previous year. The private preserves had in all, ninety-eight men patrolling their lands; the State of New York did not have one. As a result there were no fires on the private preserves during all that calamitous season. But everywhere else throughout northern New York the smoke of forest fires was rising in every direction.

The State is the only land owner in the Adirondacks that pays no attention to the protection of its property. The forestry department, we are informed, would gladly inaugurate an efficient patrol system were there some provision for it in the law; but until it is made they are powerless to change this unfortunate condition of affairs.

To appoint more fish and game protectors will not remedy the evil, however efficient the appointees may be. They are confined principally to different lines of work; and although they may be relied on at all times to detect and punish those who have violated the fish and game or forestry law, they are unable to do but little towards prevention.

Your committee would therefore respectfully recommend that an additional section be inserted in the forestry law providing for a force of thirty-five or more forest rangers. Each of these should

be assigned to a district of suitable size, and he should be required to live in this district at some point best adapted to his work; and, where necessary, a cabin with proper accommodations should be built at the expense of the State. He should be required to patrol his district daily, in order to prevent the starting of forest fires, timber stealing, and violations of the fish and game law. Your committee, after due inquiry in the matter, find that competent guides or woodsmen can be employed for such work at \$45 or \$50 per month. No extra fund for traveling expenses would be required, as it would not be necessary for these rangers to leave their districts.

In the opinion of your committee the present constitutional restriction which prevents the leasing of camp sites in the Adirondacks is unnecessary, and is injurious to the forestry interests of the State. The lands of the Forest Preserve, with its miles of water fronts on lakes and streams, contain many thousand beautiful camp sites which are now unoccupied. Under a judicious system of leasing, this property would furnish an annual revenue in excess of all the expenses of the forestry department; and, without calling on the taxpayers, would furnish the means for the complete management and protection of the great State Preserve.

During the five years prior to the adoption of the present Constitution, the system of leasing camp sites in the Adirondacks was given a thorough trial, without any unsatisfactory results or complaints. While many desirable spots were leased, an equal number were reserved for the free use of the public and any person who might not care to locate permanently, or to pay for the privilege of a camp site. The rights of the poor, as well as the rich, were carefully respected and guarded. With the thousands of available locations there is ample room for all who might come, whether they wish to build a handsome cottage, or camp out in some temporary arrangement.

Under the former law for leasing camp sites the forestry interests of the State were amply protected. The law provided that no more than five acres should be leased to any individual, and to prevent any evasion in this respect the commission would not lease adjoining sites. By the terms of the lease the occupant was debarred from cutting any trees or undergrowth, from building any fences and from using the property for boarding house or hotel purposes. The sale of intoxicating liquors was prohibited, the violation of this provision constituting a forfeiture of the lease. No exclusive hunting or fishing privileges were granted, and the right of the public to cross or use the land as heretofore used was provided for.

There are many of our citizens who would like to spend their summers in an Adirondack camp, but they will not go there unless they can do so under some permanent arrangement, and have a comfortable building in which to live. For lack of some such provision many invalids are debarred from availing themselves of the sanitary benefits which this region affords. In the opinion of your committee some system of leasing, protected by proper restrictions, would be highly advantageous. It would induce more people to frequent our North woods, and thereby strengthen the forestry movement throughout the State.

An examination of the Adirondack map shows a large number of small detached parcels of State land that are situated outside the boundary of the park. Most of these scattered lots are in farming districts, many miles from the outer line of the great forest, and are of no more use to the State for forestry purposes than if they were located in central New York.

These lands, owing to their remote, isolated position, are more liable to damage from fire and timber thieves than if they were a part of the main preserve. We are informed at the Forestry Department that, in many instances, the expenses incidental to the care and custody of these lands have reached a sum in excess of what the property is worth. Your committee would, therefore, respectfully ask that favorable consideration be given to the recommendations in the Comptroller's report for 1898, in which he recommended that these outlying lands should be sold and the proceeds applied to the purchase of lands within the Adirondack park.

Your committee, in the course of its travels throughout the Adirondack forests, were unfavorably impressed with the serious injury done to the scenery on many of these lakes and rivers by the destruction of the timber along the shores, caused by the overflow from dams at various points. One of the great attractions of that region is the beautiful scenery, which brings there annually thousands of tourists who are a source of income to the hotels and guides. The business interests of this class of our citizens deserve protection as well as the forests, and it seems advisable that something should be done by the State in the way of judicious appropriations to remedy this evil. We would call attention particularly to the large amount of dead timber standing along many of our principal waterways, such as the Marion river, the South inlet and other inlets to Raquette lake, the upper waters of the Fulton Chain, and the flowed lands around Cranberry lake. If these dead trees were sold, cut and removed the scenery in the vicinity of these beautiful waters would be vastly improved, and your committee would, therefore,

respectfully commend to the favorable consideration of the Legislature any bill which may be introduced asking for an appropriation to accomplish this purpose.

All of which is respectfully submitted.

DELOS AXTELL,
R. J. FISH,
MORGAN BRYAN,
CHAS. H. HITCHCOCK,
THOMAS D. LEWIS,
JULIUS HARBURGER,
G. S. FORDYCE,

Committee.

Said report was laid upon the table and ordered printed.

(See Document.)

Mr. Rodenbeck, from the committee on privileges and elections, presented the following report:

IN THE ASSEMBLY OF THE STATE OF NEW YORK.

In the Matter of the Contest in the Assembly of the State of New York from the Eighth District of New York County, Borough of Manhattan, Isador Cohn, Contestant and Charles S. Adler, Contestee.

This petition of Isador Cohn, verified December 31, 1900, was presented to the Assembly praying that the seat of Charles S. Adler, member of Assembly from the Eighth district of New York county, Borough of Manhattan, be declared to be legally the seat of the petitioner, and that the sitting member be declared unseated and that the seat be declared vacant until the determination of the contest.

The petition was referred to the committee on privileges and elections for consideration and report.

The committee organized and proceeded to the consideration of the facts set forth in the petition. The contestee appeared by counsel at one of the sessions and proceeded to outline the facts upon which he expected to sustain the allegations set forth in the petition.

Among other allegations alleged in the petition and upon which the contestee proposed to introduce evidence was one that the returns in the third election district were fraudulently made by reason of the fact that after the polls were closed the ballots were illegally and fraudulently overturned and upset and commingled with other ballots that were upon the floor and table of

the polling place, and that the board of inspectors of the various election districts of the Assembly district aforesaid committing various and divers other frauds, errors and discrepancies which if corrected would give the petitioner a majority of the votes cast at the election for the office above named; thus charging that the election of the sitting member was illegal and fraudulent.

The sitting member appeared by his counsel and filed an answer denying the allegations of fraud and of illegality set forth in the petition and other allegations which brought in question the title to his seat and asked that the petition be dismissed.

Thereafter and before the determination of the contest the contestant presented to the Assembly a communication praying that he be permitted to withdraw the contest and withdrawing the same.

Sufficient proof was taken by the committee to enable it to arrive at a conclusion as to the allegations of the illegality and fraud contained in the petition and the statements made before your committee by the contestant's attorney and after the close of such evidence your committee reached the conclusion and report that no fraud was committed in connection with the election of member of Assembly from the Eighth Assembly district of New York county, borough of Manhattan, and that Charles S. Adler was legally elected to the Assembly from said district and is entitled to retain the seat now occupied by him.

A. J. RODENBECK,
Chairman.

ELIJAH COOK,
DELOS AXTELL,
JOHN L. SMITH,
E. M. MARSON,
J. S. PHILLIPS,
T. L. LEWIS,
JOHN C. L. DALY,
JOHN J. O'CONNELL,

Committee on Privileges and Elections.

Dated *March 29*, 1901.

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof and three-fifths being present.

{ AYES 103 }
 { NOES 00 }

Those who voted in the affirmative, were

Adams	Costello	Hammond	Marson	Rogers
Adler	Coughtry	Harburger	McInerney	Ruehl
Ahern	Darrison	Hasenflug	McKeown	Salyerds
Allds	Davis	Hatch	McQuade	Scanlon
Allston	Delaney	Henry	Meister	Schneider
Apgar	Dempsey	Hitchcock	Morgan	Sherer
Babcock	Dickinson	Holsten	Nye	Smith J E
Baker	Doughty	Honeck	O'Connell	Smith J L
Bedell	Dusinbery	Hyman	O'Malley	Smith S W
Bell	Egan	Irwin	Patton	Smith W H
Bennet	Everett	Juengst	Phipps	Stevens
Blackwell	Fancher	Kaiser	Platt	Sullivan
Brill	Fitzgerald	Keenan	Price	Swarts
Brooks	Fitzpatrick	Kelly	Prince	Thorn
Bruckner	Fowler	Kelsey	Reilley	Treat
Bryan	Galbraith	Knipp	Reynolds	Ulmann
Burns	Gardiner R	Landon	Richter	Van Name
Cadin	Gardner C J	Lewis M E	Rierdon	Waite
Cook	Graeff	Lewis T D	Roberts	Weber
Cooley	Hallock	Lynn	Rodenbeck	Wilson H
Coons	Halpin	Mains		

Mr. Speaker, from the committee on rules, to which was referred the following entitled bills, reported in favor of the passage of the same without amendment, and that the same be made a special order on third reading immediately:

“An act to amend chapter 322 of the Laws of 1850, entitled ‘An act to incorporate the fire department of the village of Watertown,’ in relation to the officers of the department, the powers of the directors, and changing the name thereof.” (No. 2577, Int. No. 1172.)

Senate, “An act making an appropriation for the construction of buildings for the New York State Hospital, for the treatment of incipient pulmonary tuberculosis.” (No. 501, Assembly reprint No. 2572, Rec. No. 145.)

“An act to amend chapter 336 of the Laws of 1899, entitled ‘An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claims of the several counties containing towns, villages or cities bonded to aid in the construction of

any railroad passing through such towns, villages or cities, on account of the payment to the State of the State taxes collected from such railroads within such bonded towns, villages or cities,' in relation to the disposition of money awarded, and the time for presenting claims." (No. 2575, Int. No. 809.)

"An act to prevent deception in the manufacture and sale of beer, ale and porter." (No. 1951, Int. No. 1281.)

Which report was agreed to, and said bills ordered made special orders on third reading immediately.

Mr. Speaker, from the committee on rules, to which was referred the following entitled bills, reported in favor of the passage of the same without amendment, and that the same be made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported:

Senate, "An act to amend chapter 222 of the Laws of 1866, entitled 'An act to amend the charter of the village of Saratoga Springs and the several acts amendatory thereof.'" (No. 1163, Assembly reprint No. 2576, Rec. No. 401.)

"An act to provide for the payment of certain local assessments against State property in the city of Rochester, in the county of Monroe, and making an appropriation therefor." (No. 2578, Int. No. 1647.)

"An act making an appropriation for building controlling gates in the Seneca river for the purpose of maintaining and regulating the waters of Cayuga lake." (No. 1832, Int. No. 1327.)

"An act to acquire land and property and to authorize the city of New York to maintain the Hamilton grange as a memorial building in honor of Alexander Hamilton." (No. 2574, Int. No. 1694.)

"An act to authorize the board of estimate and apportionment of the city of New York to audit and allow, and the comptroller of said city to pay to Peter Androvett, Albert Killmeyer as survivor of N. Killmeyer and Son, Gabriel Dissosway and B. Kreischer and Sons, for work done and supplies furnished for school purposes to school district No. 7 of the town of Westfield, Richmond county, N. Y." (No. 2495, Int. No. 1658.)

"An act for the relief of the corporation of St. Austin's school from taxes." (No. 1446, Int. No. 1138.)

"An act to fix the compensation of the recorder, city judge and judges of the court of general sessions, of the city and county of New York." (No. 2565, Int. No. 1690.)

"An act to amend the Penal Code, relative to the contamination of salt wells." (No. 2513, Int. No. 1027.)

"An act to amend the Code of Civil Procedure, in relation to the jurisdiction of justices' courts." (No. 2144, Int. No. 1498.)

"An act to amend chapter 6 of the general laws, known as the Election Law." (No. 2579, Int. No. 1695.)

Senate, "An act to authorize the board of estimate and apportionment of the city of New York to audit and allow the present sheriff of the county of New York such legal expenses as he may be put to, not exceeding \$5,000 per annum, for three years after the expiration of his term of office." (No. 520, Rec. No. 477.)

Senate, "An act providing for the appointment of referees by the justices of the Appellate Division of the Supreme Court for the first judicial department." (No. 1482, Rec. No. 476.)

Senate, "An act regarding highways constructed under and pursuant to the authority of chapter 493 of the Laws of 1892, and to provide for the assessment of the cost thereof upon the lands benefited thereby." (No. 1284, Rec. No. 415.)

Senate, "An act to amend the Forest, Fish and Game Law, relative to private parks." (No. 806, Rec. No. 167.)

Senate, "An act giving authority to the Commissioners of the Land Office to grant and convey to the United States of America the southerly portion of Esopus island, in the Hudson river, and to cede jurisdiction to the United States over said property." (No. 1579, Rec. No. 490.)

Senate, "An act to amend chapter 30 of the general laws, entitled 'The Navigation Law,' in relation to the application of article 5." (No. 1114, Rec. No. 280.)

Which report was agreed to, and said bills ordered made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported.

Mr. Babcock, from the committee on printed and engrossed bills, reported as correctly printed or engrossed the following entitled bills:

An act to amend chapter 772 of the Laws of 1896, relative to the salary of chief clerk of the district attorney of Kings county." (No. 2586, Int. No. 126.)

Mr. Speaker announced the special order, being the bill (No. 2577) entitled "An act to amend chapter 322 of the Laws of 1850, entitled 'An act to incorporate the fire department of the village of Watertown,' in relation to the officers of the department, the powers of the directors, and changing the name thereof." (Int. No. 1172.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 95 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Daly	Hatch	McQuade	Scanlon
Adler	Davis	Hawkins	Morgan	Seymour
Allds	Delaney	Hitchcock	O'Brien	Sherer
Apgar	Dickey	Honeck	O'Connell	Smith J E
Axtell	Dooling	Irwin	Orr	Smith J T
Baker	Dusinbery	Juengst	Patton	Snyder
Bedell	Egan	Kaiser	Phillips	Sullivan
Bell	Everett	Keenan	Plank	Swift
Blackwell	Fish	Kelly	Platt	Thorn
Brill	Fitzgerald	Kelsey	Price	Traub
Brooks	Fordyce	Knipp	Rainey	Treat
Bryan	Fowler	Landon	Reilley	Ulmann
Burnett	Galbraith	Leggett	Reynolds	Vacheron
Cadin	Gardiner R	Lewis M E	Richter	Van Name
Conger	Geoghan	Lynn	Rierdon	Waite
Cook	Griffith	Mansfield	Robinson	Walrath
Coons	Halpin	Marson	Rogers	Weber
Cotton	Hanford	McInerney	Ruehl	Weekes
Coughtry	Harris	McMillan	Salyerds	Wilson H

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the Senate bill (No. 501, Assembly reprint No. 2572) entitled "An act making an appropriation for the construction of buildings for the New York State Hospital, for the treatment of incipient pulmonary tuberculosis." (Rec. No. 145.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 100 }
{ NOES 1 }

Those who voted in the affirmative, were

Adams	Darrison	Hammond	McInerney	Ruehl
Adler	Davis	Hanford	McMillan	Sanders
Ahern	Delaney	Harris	Morgan	Schneider
Allds	Dempsey	Hasenflug	Nye	Seymour
Allston	Dickey	Hawkins	O'Connell	Smith A R
Axtell	Dooling	Henry	O'Malley	Smith J E
Babcock	Doughty	Holsten	Patton	Smith J L
Baum	Dusinbery	Honeck	Phillips	Smith J T
Bedell	Egan	Hyman	Plank	Smith W H
Bennet	Ellis	Juengst	Platt	Snyder
Bradley	Fancher	Kaiser	Poth	Sullivan
Brill	Fisher	Keenan	Prince	Swartz
Bruckner	Fitzpatrick	Kelly	Rainey	Thorn
Burnett	Fordyce	Knipp	Remsen	Traub
Burns	Fowler	Landon	Richter	Vacheron
Conger	Galbraith	Lewis M E	Rider	Van Name
Cook	Gardner C J	Lewis T D	Rierdon	Walrath
Costello	Geoghan	Mains	Robinson	Weber
Cotton	Griffith	Mansfield	Rodenbeck	Weekes
Coughtry	Hallock	Marson	Ross	Wilson H

In the negative,

Kelsey

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the bill (No. 2575) entitled "An act to amend chapter 336 of the Laws of 1899, entitled 'An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claims of the several counties containing towns, villages or cities bonded to aid in the construction of any railroad passing through such towns, villages or cities, on account of the payment to the State of the State taxes collected from such railroads within such bonded towns, villages or cities,' in relation to the disposition of money awarded, and the time for presenting claims." (Int. No. 809.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 124 {
} NOES 00 {

Those who voted in the affirmative, were

Adams	Darrison	Hasenflug	Meister	Salyerds
Adler	Davis	Hatch	Morgan	Sanders
Ahern	DeGraw	Hawkins	Nye	Scanlon
Allds	Delaney	Henry	O'Connell	Schneider
Allston	Dempsey	Hitchcock	O'Malley	Sherer
Apgar	Dickinson	Holsten	Orr	Smith A R
Axtell	Dooling	Hyman	Patton	Smith J E
Babcock	Duross	Irwin	Phillips	Smith J T
Baker	Dusinbery	Juengst	Phipps	Smith S W
Baum	Egan	Kaiser	Plank	Smith W H
Bell	Ellis	Keenan	Platt	Snyder
Bennet	Fancher	Kelly	Poth	Stevens
Blackwell	Fisher	Kelsey	Price	Sullivan
Bradley	Fitzgerald	Landon	Prince	Swarts
Brill	Fordyce	Leggett	Rainey	Swift
Bruckner	Fowler	Lewis M E	Reilley	Traub
Bryan	Galbraith	Lewis T D	Remsen	Treat

Burnett	Gardiner R	Lynn	Reynolds	Ulmann
Cadin	Gardner C J	Mains	Richter	Van Name
Conger	Graeff	Mansfield	Rierdon	Waite
Cook	Griffith	Marson	Roberts	Walrath
Cooley	Halpin	McInerney	Robinson	Weber
Costello	Hanford	McKeown	Rodenbeck	Weekes
Cotton	Harburger	McMillan	Rogers	Wilson H
Daly	Harris	McQuade	Ruehl	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1951) entitled "An act to prevent deception in the manufacture and sale of beer, ale and porter." (Int. No. 1281.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 88 }
 { NOES 21 }

Those who voted in the affirmative, were

Adams	Cooley	Gardner C J	McMillan	Ross
Adler	Coons	Geoghan	Morgan	Ruehl
Alds	Costello	Griffith	Nye	Sanders
Allston	Coughtry	Hallock	O'Brien	Seymour
Apgar	Daly	Hammond	O'Malley	Sherer
Axtell	Darrison	Hanford	Orr	Smith J L
Babcock	Davis	Harris	Patton	Smith J T
Baker	Dickey	Hatch	Phillips	Snyder
Baum	Dickinson	Henry	Phipps	Stevens
Bedell	Duross	Honeck	Plank	Swarts
Bell	Dusinbery	Irwin	Platt	Swift
Bennet	Egan	Kelsey	Price	Thorn
Blackwell	Ellis	Knipp	Rainey	Treat
Brill	Everett	Landon	Reynolds	Walrath
Bryan	Fancher	Leggett	Roberts	Weber
Burnett	Fisher	Lewis M E	Robinson	Weekes
Conger	Fordyce	Mains	Rogers	Wilson H
Cook	Frisbie	Mansfield		

Those who voted in the negative, were

Bradley	Gardiner R	Kaiser	Reilley	Rodenbeck
Burns	Halpin	Kelly	Richter	Smith J E
Delaney	Harburger	Lewis T D	Rider	Smith S W
Dooling	Juengst	Meister	Rierdon	Ulmann
Fitzgerald				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the Senate bill (No. 1163, Assembly reprint No. 2576) entitled "An act to amend chapter 222 of the Laws of 1866, entitled 'An act to amend the charter of the village of Saratoga Springs and the several acts amendatory thereof.'" (Rec. No. 401.)

Said bill was read the second time.

On motion of Mr. Mansfield, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 112 }
 } NOES 00 }

Those who voted in the affirmative, were

Adams	Davis	Halpin	Marson	Ruehl
Adler	DeGraw	Hammond	Mathews	Sanders
Ahern	Delaney	Hanford	McInerney	Schneider
Allds	Dickey	Harburger	McKeown	Seymour
Apgar	Dickinson	Hasenflug	McMillan	Smith A R
Axtell	Dooling	Hatch	Meister	Smith J E
Babcock	Doughty	Hawkins	Morgan	Smith J T
Baker	Dusinbery	Henry	O'Brien	Smith S W
Bedell	Egan	Hitchcock	O'Malley	Smith W H
Bell	Ellis	Honeck	Patton	Snyder
Blackwell	Everett	Hyman	Phipps	Stevens
Brill	Fancher	Irwin	Plank	Swarts
Brooks	Fisher	Juengst	Poth	Swift

Bruckner	Fitzgerald	Kaiser	Price	Thorn
Bryan	Fitzpatrick	Keenan	Prince	Treat
Burns	Fordyce	Kelly	Reilley	Vacheron
Cadin	Fowler	Kelsey	Remsen	Van Name
Conger	Frisbie	Knipp	Richter	Waite
Cooley	Galbraith	Leggett	Rider	Walrath
Costello	Gardner C J	Lewis M E	Roberts	Weber
Cotton	Geoghan	Lynn	Rodenbeck	Weekes
Coughtry	Graeff	Mansfield	Rogers	Wilson H
Darrison	Griffith			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the bill (No. 2578) entitled "An act to provide for the payment of certain local assessments against State property in the city of Rochester, in the county of Monroe, and making an appropriation therefor." (Int. No. 1647.)

Said bill was read the second time.

On motion of Mr. M. E. Lewis, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 90 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Darrison	Hammond	Marson	Ruehl
Adler	Davis	Harburger	McInerney	Sanders
Ahern	Delaney	Harris	McKeown	Schneider
Allston	Dickey	Hasenflug	McQuade	Sherer
Apgar	Dickinson	Hawkins	Morgan	Smith J E
Babcock	Doughty	Henry	O'Brien	Smith J L
Baum	Dusinbery	Hitchcock	O'Malley	Smith S W
Bedell	Egan	Honeck	Orr	Snyder

Bennet	Everett	Irwin	Phillips	Stevens
Blackwell	Fish	Juengst	Plank	Swarts
Brooks	Fitzgerald	Kaiser	Poth	Swift
Bruckner	Fordyce	Keenan	Prince	Treat
Burnett	Frisbie	Kelly	Reilley	Vacheron
Cadin	Galbraith	Kelsey	Reynolds	Van Name
Cook	Gardner C J	Landon	Rider	Waite
Coons	Graeff	Knipp	Rierdon	Walrath
Cotton	Griffith	Lewis T D	Robinson	Weber
Coughtry	Halpin	Mains	Rogers	Wilson H

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1832) entitled "An act making an appropriation for building controlling gates in the Seneca river for the purposes of maintaining and regulating the waters of Cayuga lake." (Int. No. 1327.)

Said bill was read the second time.

On motion of Mr. Fordyce, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 97 }
{ NOES 1 }

Those who voted in the affirmative, were

Adams	Dempsey	Hitchcock	Nye	Schneider
Adler	Dickey	Holsten	O'Brien	Seymour
Ahern	Dooling	Hyman	O'Malley	Smith A R
Allds	Duross	Irwin	Orr	Smith J E
Apgar	Egan	Juengst	Phillips	Smith J T
Axtell	Everett	Kaiser	Phipps	Smith S W
Baker	Fancher	Keenan	Plank	Smith W H
Bedell	Fisher	Kelsey	Platt	Snyder
Bennet	Fitzpatrick	Knipp	Poth	Stevens
Brill	Fowler	Landon	Prince	Swarts
Bruckner	Frisbie	Leggett	Reilley	Swift

Burnett	Gardner C J	Lewis T D	Remsen	Traub
Burns	Geoghan	Mains	Richter	Treat
Conger	Griffith	Mansfield	Rider	Vacheron
Cooley	Halpin	Mathews	Roberts	Waite
Costello	Hammond	McInerney	Rodenbeck	Walrath
Coughtry	Harburger	McKeown	Ross	Weber
Darrison	Harris	McQuade	Ruehl	Weekes
Davis	Hatch	Meister	Sanders	Wilson H
DeGraw	Hawkins			

In the negative,

Rierdon

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2495) entitled "An act to authorize the board of estimate and apportionment of the city of New York to audit and allow, and the comptroller of said city to pay to Peter Androvett, Albert Killmeyer, as survivor of N. Killmeyer & Son, Gabriel Dissosway and B. Kreischer & Sons, for work done and supplies furnished for school purposes to school district No. 7 of the town of Westfield, Richmond county, N. Y." (Int. No. 1658.)

Said bill was read the second time.

On motion of Mr. Van Name, said bill was placed on the order

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 107 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Dickey	Hawkins	Meister	Sanders
Adler	Dempsey	Henry	Morgan	Scanlon
Ahern	Dickinson	Hitchcock	Nye	Seymour
Allston	Dooling	Holsten	O'Connell	Sherer
Apgar	Duross	Hyman	O'Malley	Smith A R
Axtell	Egan	Juengst	Patton	Smith J E
Baker	Ellis	Kaiser	Phillips	Smith J L

Bedell	Fancher	Keenan	Plank	Smith S W
Bennet	Fish	Kelly	Platt	Smith W H
Blackwell	Fisher	Kelsey	Price	Stevens
Brill	Fitzgerald	Knipp	Prince	Swarts
Bruckner	Fordyce	Landon	Rainey	Thorn
Burnett	Fowler	Leggett	Remsen	Traub
Cadin	Galbraith	Lewis M E	Reynolds	Ulmann
Conger	Gardiner R	Lewis T D	Richter	Vacheron
Cook	Gardner C J	Mains	Rierdon	Van Name
Coons	Graeff	Mansfield	Roberts	Waite
Costello	Hallock	Marson	Robinson	Walrath
Cotton	Hanford	McInerney	Rodenbeck	Weber
Daly	Harburger	McKeown	Ross	Weekes
Darrison	Harris	McQuade	Salyerds	Wilson H
DeGraw	Hasenflug			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2574) entitled "An act to acquire land and property and to authorize the city of New York to maintain the Hamilton grange as a memorial building in honor of Alexander Hamilton." (Int. No. 1694.)

Said bill was read the second time.

On motion of Mr. W. H. Smith, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 110 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Darrison	Hanford	McInerney	Rogers
Adler	Davis	Harburger	McKeown	Ruehl
Ahern	Delaney	Harris	McMillan	Salyerds
Allds	Dempsey	Hatch	McQuade	Sanders
Allston	Dickinson	Hawkins	Meister	Schneider

Axtell	Doelling	Henry	Morgan	Seymour
Babcock	Doughty	Hitchcock	O'Brien	Smith A R
Baum	Duross	Holsten	O'Connell	Smith J E
Bedell	Egan	Hyman	Orr	Smith J T
Bennet	Ellis	Irwin	Phillips	Smith S W
Blackwell	Fancher	Juengst	Phipps	Smith W H
Bradley	Fisher	Kaiser	Platt	Stevens
Brill	Fitzgerald	Keenan	Poth	Swarts
Bruckner	Fordyce	Kelly	Prince	Swift
Bryan	Fowler	Knipp	Rainey	Traub
Burnett	Galbraith	Landon	Reilley	Ulmann
Cadin	Gardiner R	Leggett	Remsen	Vacheron
Conger	Gardner C J	Lewis M E	Reynolds	Waite
Cooley	Geoghan	Lewis T D	Richter	Walrath
Coons	Griffith	Mains	Rider	Weber
Cotton	Hallock	Mansfield	Roberts	Weekes
Coughtry	Halpin	Mathews	Rodenbeck	Wilson H

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1446) entitled "An act for the relief of the corporation of St. Austin's school from taxes." (Int. No. 1138.)

Said bill was read the second time.

On motion of Mr. Sanders, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 114 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Darrison	Hanford	Meister	Schneider
Adler	DeGraw	Harris	Morgan	Seymour
Allds	Delaney	Hasenflug	Nye	Sherer
Allston	Dempsey	Hatch	O'Brien	Smith A R

Axtell	Dickinson	Henry	O'Malley	Smith J E
Baker	Dooling	Hitchcock	Orr	Smith J L
Bedell	Duross	Honeck	Patton	Smith J T
Baum	Dusinbery	Hyman	Phillips	Smith S W
Bell	Ellis	Irwin	Plank	Smith W H
Blackwell	Everett.	Juengst	Platt	Snyder
Bradley	Fish	Kaiser	Price	Stevens
Brill	Fisher	Keenan	Reilley	Sullivan
Bruckner	Fitzgerald	Kelly	Remsen	Swift
Bryan	Fordyce	Kelsey	Richter	Traub
Burnett	Fowler	Knipp	Rider	Treat
Burns	Frisbie	Leggett	Rierdon	Ulmann
Cadin	Galbraith	Lewis M E	Roberts	Vacheron
Cook	Gardiner R	Lynn	Robinson	Van Name
Cooley	Gardner C J	Mains	Rodenbeck	Waite
Coons	Graeff	Marson	Ross	Weber
Cotton	Griffith	Mathews	Salverds	Weekes
Coughtry	Halpin	McKeown	Sanders	Wilson E
Daly	Hammond	McMillan	Scanlon	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2565) entitled "An act to fix the compensation of the recorder, city judge and judges of the Court of General Sessions, of the city and county of New York." (Int. No. 1690.)

Said bill was read the second time.

On motion of Mr. Sullivan, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 112 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	DeGraw	Hawkins	McQuade	Scanlon
Adler	Dempsey	Henry	Meister	Seymour
Ahern	Dickey	Holsten	Morgan	Sherer

Allds	Dickinson	Hyman	Nye	Smith J E
Allston	Doughty	Irwin	O'Connell	Smith J T
Apgar	Duross	Juengst	O'Malley	Smith S W
Axtell	Egan	Kaiser	Orr	Smith W H
Baum	Ellis	Keenan	Patton	Snyder
Bedell	Fancher	Kelly	Phipps	Stevens
Bell	Fish	Kelsey	Plank	Sullivan
Bennet	Fitzgerald	Knipp	Poth	Swarts
Bradley	Fitzpatrick	Leggett	Prince	Thorn
Brill	Fowler	Lewis M E	Rainey	Traub
Bruckner	Frisbie	Lewis T D	Remsen	Treat
Bryan	Galbraith	Lynn	Reynolds	Ulmann
Cadin	Gardner C J	Mains	Rider	Vacheron
Conger	Geoghan	Mansfield	Rierdon	Van Name
Coons	Graeff	Marson	Robinson	Waite
Costello	Hallock	Mathews	Rodenbeck	Walrath
Cotton	Hammond	McInerney	Ross	Weber
Coughtry	Hanford	McKeown	Ruehl	Weekes
Daly	Harris	McMillan	Sanders	Wilson H
Darrison	Hasenflug			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the Senate bill (No. 2513) entitled "An act to amend the Penal Code, relative to the contamination of salt wells." (Rec. No. 1027.)

Said bill was read the second time.

On motion of Mr. Nye, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Darrison	Harburger	McInerney	Salyerds
Adler	Dempsey	Harris	McMillan	Sanders
Ahern	DeGraw	Hatch	Meister	Seymour

Allston	Dickey	Henry	Nye	Sherer
Axtell	Dooling	Hitchcock	O'Brien	Smith J L
Baker	Dusinbery	Holsten	O'Connell	Smith S W
Baum	Ellis	Hyman	O'Malley	Snyder
Bedell	Everett	Juengst	Orr	Sullivan
Bennet	Fancher	Kaiser	Phillips	Swarts
Bradley	Fisher	Keenan	Phipps	Swift
Brooks	Fitzpatrick	Kelly	Platt	Thorn
Bryan	Fowler	Kelsey	Price	Traub
Cadin	Galbraith	Landon	Reilley	Ulmann
Cook	Gardner C J	Leggett	Reynolds	Vacheron
Coons	Graeff	Lewis M E	Rider	Waite
Conger	Griffith	Lynn	Roberts	Walrath
Costello	Hallock	Mansfield	Rodenbeck	Weber
Coughtry	Hanford	Mathews	Ross	Wilson H

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 2144) entitled "An act to amend the Code of Civil Procedure, in relation to the jurisdiction of Justice's Courts." (Rec. No. 1498.)

Said bill having been announced for a second reading,

On motion of Mr. Kelsey, said bill was recommitted to the committee on rules, retaining its place on the order of second reading.

Mr. Speaker announced the special order, being the bill (No. 2579) entitled "An act to amend chapter 6 of the general laws known as the Election Law." (Int. No. 1695.)

Said bill was read the second time.

On motion of Mr. Apgar, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 109 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Daly	Halpin	Mathews	Schneider
Adler	Darrison	Hanford	McInerney	Sherer
Ahern	Davis	Harburger	McKeown	Smith A R
Allds	Delaney	Hasenflug	Meister	Smith J E
Allston	Dickey	Hatch	Nye	Smith J L
Apgar	Dickinson	Henry	O'Connell	Smith J T
Axtell	Doughty	Hitchcock	O'Malley	Smith S W
Babcock	Dusinbery	Honeck	Patton	Smith W H
Baker	Egan	Hyman	Phipps	Snyder
Baum	Everett	Juengst	Platt	Stevens
Bedell	Fancher	Kaiser	Price	Swarts
Bennet	Fish	Keenan	Prince	Swift
Bradley	Fisher	Kelly	Reilley	Thorn
Brill	Fitzgerald	Kelsey	Remsen	Traub
Bruckner	Fowler	Knipp	Richter	Ulmann
Bryan	Frisbie	Landon	Rider	Vacheron
Burns	Galbraith	Leggett	Roberts	Waite
Cadin	Gardiner R	Lewis M E	Robinson	Walrath
Cook	Geoghan	Lewis T D	Rogers	Weber
Cooley	Graeff	Lynn	Ruehl	Weekes
Costello	Griffith	Mains	Salyerds	Wilson H
Cotton	Hallock	Mansfield	Sanders	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the Senate bill (No. 520) entitled "An act to authorize the board of estimate and apportionment of the city of New York to audit and allow the present sheriff of the county of New York such legal expenses as he may be put to, not exceeding \$5,000 per annum, for three years after the expiration of his term of office." (Rec. No. 477.)

Said bill was read the second time.

On motion of Mr. Sullivan, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 102 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	DeGraw	Hatch	McQuade	Salyerds
Adler	Dempsey	Henry	Meister	Sanders
Ahern	Dickey	Hitchcock	Nye	Schneider
Allds	Dooling	Holsten	O'Connell	Sherer
Apgar	Doughty	Honeck	O'Malley	Smith A R
Axtell	Dusinbery	Irwin	Orr	Smith J L
Babcock	Ellis	Juengst	Phillips	Smith J T
Baum	Everett	Kaiser	Plank	Smith S W
Bedell	Fancher	Keenan	Platt	Snyder
Bennet	Fisher	Kelly	Price	Sullivan
Bradley	Fitzgerald	Kelsey	Prince	Swarts
Brill	Fordyce	Knipp	Reilley	Thorn
Bruckner	Frisbie	Landon	Remsen	Treat
Burnett	Gardiner R	Lewis M E	Reynolds	Ulmann
Burns	Gardner C J	Lewis T D	Rider	Van Name
Conger	Graeff	Lynn	Rierdon	Waite
Cooley	Hallock	Mansfield	Roberts	Walrath
Costello	Halpin	Marson	Robinson	Weber
Coughtry	Hanford	McInerney	Rodenbeck	Weekes
Daly	Harris	McKeown	Ross	Wilson H
Davis	Hasenflug			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1482) entitled "An act providing for the appointment of referees by the Justices of the Appellate Division of the Supreme Court for the First Judicial Department." (Rec. No. 476.)

Said bill having been announced for a second reading,

On motion of Mr. Frisbee said bill was laid aside, retaining its place on the order of second reading.

Mr. Speaker announced the special order, being the Senate bill (No. 1284) entitled "An act regarding highways constructed under and pursuant to the authority of chapter 493 of the Laws of 1892 and to provide for the assessment of the cost thereof upon the lands benefited thereby." (Rec. No. 415.)

Said bill was read the second time.

On motion of Mr. Apgar, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 93 }
 } NOES 00 }

Those who voted in the affirmative, were

Adams	Darrison	Harburger	Marson	Salyerds
Adler	Davis	Harris	Mathews	Scanlon
Ahern	DeGraw	Hasenflug	McKeown	Seymour
Allds	Dempsey	Hawkins	McMillan	Smith A R
Apgar	Dickinson	Hitchcock	Meister	Smith J L
Babcock	Doughty	Holsten	Nye	Smith S W
Baker	Dusinbery	Honeck	O'Connell	Snyder
Baum	Egan	Irwin	Orr	Stevens
Bell	Everett	Juengst	Phillips	Swarts
Bennet	Fancher	Kaiser	Plank	Thorn
Bradley	Fisher	Keenan	Poth	Traub
Brooks	Fitzpatrick	Kelly	Prince	Ulmann
Bryan	Fowler	Kelsey	Reilley	Van Name
Burns	Frisbie	Knipp	Remsen	Waite
Conger	Gardiner R	Leggett	Richter	Walrath
Cook	Geoghan	Lewis M E	Rierdon	Weber
Costello	Griffith	Lewis T D	Robinson	Weekes
Cotton	Halpin	Mains	Rogers	Wilson H
Daly	Hammond	Mansfield		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 806) entitled "An act to amend the Forest, Fish and Game Law, relative to private parks." (Rec. No. 167.)

Said bill was read the second time.

On motion of Mr. Robinson, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 113 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Doughty	Harris	McInerney	Sanders
Adler	Dusinbery	Hasenflug	McMillan	Schneider
Ahern	Egan	Hatch	McQuade	Sherer
Allds	Ellis	Hawkins	Morgan	Smith A R
Apgar	Everett	Henry	Nye	Smith J E
Axtell	Fancher	Hitchcock	O'Brien	Smith J T
Babcock	Fish	Holsten	O'Malley	Smith S W
Baum	Fisher	Honeck	Orr	Smith W H
Bedell	Fitzgerald	Hyman	Phillips	Snyder
Bennet	Fordyce	Irwin	Phipps	Sullivan
Bradley	Fowler	Juengst	Platt	Swarts
Brill	Frisbie	Kaiser	Poth	Swift
Bruckner	Galbraith	Keenan	Prince	Thorn
Bryan	Gardiner R	Kelly	Reilly	Traub
Burns	Gardner C J	Kelsey	Reynolds	Treat
Conger	Geoghan	Knipp	Richter	Ulmann
Cook	Graeff	Landon	Rierdon	Van Name
Coons	Griffith	Leggett	Robinson	Waite
Cotton	Hallock	Lewis M E	Roberts	Walrath
Davis	Halpin	Lynn	Rodenbeck	Weber
Delaney	Hammond	Mains	Ross	Weekes
Dempsey	Hanford	Mansfield	Salyerds	Wilson H
Dickinson	Harburger	Mathews		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1579) entitled "An act giving authority to the Commission-

ers of the Land Office to grant and convey to the United States of America the southerly portion of Esopus island, in the Hudson river, and to cede jurisdiction to the United States over said property." (Rec. No. 490.)

Said bill was read the second time.

On motion of Mr. Ambler, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 104 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Dempsey	Hasenflug	McQuade	Scanlon
Adler	Dickey	Hatch	Meister	Schneider
Allds	Dooling	Henry	Morgan	Seymour
Allston	Duross	Hitchcock	O'Brien	Sherer
Axtell	Dusinbery	Holsten	O'Connell	Smith J E
Baker	Ellis	Honeck	Orr	Smith J L
Baum	Everett	Hyman	Phillips	Smith J T
Bell	Fish	Irwin	Plank	Smith S W
Bennet	Fisher	Juengst	Platt	Snyder
Blackwell	Fitzpatrick	Kaiser	Poth	Stevens
Brill	Fordyce	Keenan	Prince	Sullivan
Brooks	Frisbie	Kelly	Rainey	Swift
Bryan	Galbraith	Knipp	Remsen	Thorn
Burns	Gardiner R	Landon	Reynolds	Traub
Cadin	Gardner C J	Lewis M E	Rider	Ulmann
Cook	Geoghan	Lynn	Rierdon	Vacheron
Cooley	Graeff	Mains	Robinson	Waite
Costello	Hallock	Marson	Rogers	Walrath
Coughtry	Halpin	Mathews	Ross	Weekes
Darrison	Hammond	McInerney	Ruehl	Wilson H
DeGraw	Harburger	McMillan	Sanders	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1114) entitled "An act to amend chapter 30 of the general laws, entitled 'The Navigation Law,' in relation to the application of article 5." (Rec. No. 280.)

Said bill was read the second time.

On motion of Mr. Bryan, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

}	AYES	95	{
}	NOES	00	{

Those who voted in the affirmative, were

Adams	Davis	Harburger	McKeown	Sanders
Ahern	Delaney	Harris	McQuade	Schneider
Allds	Dickey	Hawkins	Meister	Sherer
Apgar	Dickinson	Henry	Nye	Smith J E
Axtell	Dooling	Holsten	O'Brien	Smith J T
Baker	Duross	Honeck	O'Malley	Smith W H
Bedell	Dusinbery	Irwin	Orr	Snyder
Bennet	Ellis	Juengst	Phillips	Sullivan
Blackwell	Fancher	Kaiser	Phipps	Swartz
Brill	Fish	Keenan	Platt	Thorn
Bruckner	Fisher	Kelly	Price	Treat
Burnett	Fitzpatrick	Kelsey	Prince	Ulmann
Burns	Fowler	Knipp	Reilly	Vacheron
Cadin	Frisbie	Landon	Reynolds	Van Name
Cook	Gardiner R	Lewis M E	Richter	Waite
Coons	Gardner C J	Lynn	Rierdon	Walrath
Costello	Graeff	Mansfield	Robinson	Weber
Cotton	Griffith	Marson	Rogers	Weekes
Daly	Hammond	McInerney	Ruehl	Wilson H

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

On motion of Mr. Allds, the House took a recess until 8.30 p. m.

EIGHT O'CLOCK AND THIRTY MINUTES P. M.

The House again met.

Mr. Speaker, from the committee on rules, to which was referred the following entitled bills, reported in favor of the passage of the same, without amendment, and that the same be made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported:

Senate, "An act to amend chapter 44 of the Laws of 1898, entitled 'An act to make the office of sheriff of Saratoga county a salaried office and regulating the management of said office.'" (No. 1510, Rec. No. 496.)

Senate, "An act to amend section 2624 of the Code of Civil Procedure, relating to the validity and construction of testamentary provisions." (No. 1243, Rec. No. 386.)

Senate, "An act to amend section 15 of the Town Law, as amended by chapter 344 of the Laws of 1893, and chapter 239 of the Laws of 1895, and chapter 481 of the Laws of 1897." (No. 1502, Rec. No. 465.)

Senate, "Concurrent resolution proposing an amendment to article 6 of the Constitution, relating to the election of additional Justices of the Supreme Court, in the words following." (No. 1159, Rec. No. 478.)

Senate, "An act to remit taxes heretofore imposed upon the lands of the Roman Catholic Orphan Asylum in the city of New York." (No. 1175, Rec. No. 319.)

Senate, "An act to fix and establish the annual salary of the county judge of Westchester county, and repealing section 222 of chapter 686 of the Laws of 1892 as far as it relates to Westchester county." (No. 1388, Rec. No. 455.)

Senate, "An act to amend the Forest, Fish and Game Law, relative to hounding deer." (No. 1111, Rec. No. 264.)

Senate, "An act to amend section 15 of the General Corporation Law, chapter 687 of the Laws of 1892, as amended by chapter 96 of the Laws of 1901, in relation to certificates of authority of a foreign corporation." (No. 1099, Rec. No. 324.)

"An act in relation to the construction, maintenance and oper-

ation of railroads upon Ashland place, in the borough of Brooklyn, in the city of New York." (No. 72, Int. No. 72.)

"An act to amend the Penal Code in relation to the sale or delivery of uncooked flesh foods on Sunday." (No. 2596, Int No. 1699.)

"An act to exempt from taxation the property of certain medical societies situated in cities of the first class." (No. 160, In. No. 160.)

Senate, "An act to amend chapter 4 of the Laws of 1891, entitled 'An act to provide for rapid transit railways in cities of over one million inhabitants.'" (No. 1167, Assembly reprint No. 2584, Rec. No. 367.)

Senate, "An act to amend sections 2647, 2649, 2651, 2652, 2653a, 2626, 2627 and 2588 of the Code of Civil Procedure, relating to revocation of probate, and relating to award of jury trial upon reversal in probate cases." (No. 1032, Rec. No. 464.)

Senate, "An act to facilitate transportation connections with wharves, docks and piers in the cities of this State." (No. 1597, Rec. No. 497.)

Senate, "An act to amend the Penal Code, relative to the directors of stock corporations and to corporate elections, so as to harmonize the same with the General Corporation Law and the Stock Corporation Law as amended." (No. 1598, Rec. No. 500.)

Senate, "An act to relieve the congestion and facilitate the traffic on the New York and Brooklyn bridge, and to improve and extend the footpaths, roadways, railway tracks and other facilities for the use of pedestrians, vehicles and railway passengers at the westerly or Manhattan terminal of said bridge." (No. 1572, Rec. No. 491.)

Senate, "An act to further amend chapter 909 of the Laws of 1896, entitled 'An act in relation to the elections, constituting chapter 6 of the general laws.'" (No. 821, Rec. No. 361.)

Senate, "An act in relation to the commissioners of the Palisades Interstate park and making an appropriation therefor." (No. 1503, Rec. No. 456.)

Senate, "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Charles D. Thomas as administrator of the goods, chattels and credits of Jennie M. Thomas, deceased, against the State of New York for

damages for the death of the said Jennie M. Thomas, deceased." (No. 1016, Rec. No. 486.)

Senate, "An act to provide for the clearing of Brown's Tract inlet, South inlet and Marion river on Township 6 and 40 Totten & Crossfield's purchase, Hamilton county and the clearing of the shores thereof, and making an appropriation therefor." (No. 652, Rec. No. 291.)

Senate, "An act dividing the State into congressional districts." (No. 1604, Rec. No. 493.)

Senate, "An act to provide for the acquisition of additional land for the Creedmoor rifle range, and making an appropriation therefor." (No. 798, Rec. No. 178.)

"An act making appropriations for the support of government." (No. 1041, Senate reprint No. 1591, Int. No. 173.)

Senate, "An act to amend chapter 909 of the Laws of 1896, entitled 'An act in relation to the elections, constituting chapter 6 of the general laws,' relative to challenges." (No. 820, Rec. No. 360.)

Senate, "An act to repeal chapter 107 of the Laws of 1875, entitled 'An act in relation to the treatment of animals.'" (No. 1562, Rec. No. 483.)

Senate, "An act relating to the rights of veterans." (No. 1602, Rec. No. 498.)

Senate, "An act to authorize the comptroller of the city of New York, to cancel and discharge certain taxes and interest thereon, and certain assessments and interest thereon, and certain water rates and interest thereon, levied upon the property owned by George J. Greenfield, Henry Greenfield and Elizabeth M. Greenfield, situated in the Twelfth ward in the city of New York, borough of Manhattan." (No. 1459, Rec. No. 499.)

Senate, "An act to authorize the construction of a bridge over the Erie canal, in the city of Rochester." (No. 1378, Rec. No. 402.)

Which report was agreed to, and said bills ordered made special orders on second and third reading immediately after the consideration of the special orders on third reading heretofore reported.

Mr. Speaker announced the special order, being the Senate bill (No. 1510) entitled "An act to amend chapter 44 of the Laws of 1898, entitled 'An act to make the office of sheriff of Saratoga

county a salaried office and regulating the management of said office." (Rec. No. 496.)

Said bill was read the second time.

On motion of Mr. Mansfield, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 107 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	DeGraw	Hasenflug	Morgan	Scanlon
Adler	Dempsey	Hatch	Nye	Schneider
Ahern	Dickey	Hawkins	O'Brien	Sherer
Allds	Dickinson	Hitchcock	O'Malley	Smith A R
Apgar	Doughty	Holsten	Orr	Smith J L
Babcock	Duross	Hyman	Phillips	Smith J T
Baker	Egan	Kaiser	Phipps	Smith S W
Baum	Everett	Keenan	Plank	Snyder
Bell	Fancher	Kelly	Platt	Stevens
Bennet	Fisher	Knipp	Price	Swarts
Blackwell	Fitzgerald	Landon	Prince	Swift
Brill	Fitzpatrick	Leggett	Rainey	Thorn
Brooks	Fowler	Lewis M E	Reilley	Treat
Bryan	Frisbie	Lewis T D	Reynolds	Ulmann
Burnett	Galbraith	Mains	Richter	Vacheron
Cadin	Gardiner R	Mansfield	Rider	Van Name
Conger	Gardner C J	Mathews	Roberts	Waite
Cooley	Graeff	McInerney	Rodenbeck	Walrath
Coons	Hallock	McKeown	Rogers	Weber
Cotton	Halpin	McMillan	Ruehl	Weekes
Coughtry	Hanford	McQuade	Salyerds	Wilson H
Darrison	Harburger			

Ordered, That the clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1243) entitled "An act to amend section 2624 of the Code of Civil Procedure, relating to the validity and construction of testamentary provisions." (Rec. No. 386.)

Said bill was read the second time.

On motion of Mr. Babcock, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 83 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	DeGraw	Hatch	McQuade	Ruehl
Ahern	Dempsey	Henry	Nye	Salyerds
Allston	Dickinson	Holsten	O'Connell	Schneider
Apgar	Duross	Hyman	Orr	Sherer
Babcock	Egan	Juengst	Phillips	Smith A R
Baker	Everett	Kaiser	Phipps	Smith J L
Bedell	Fish	Keenan	Plank	Smith S W
Bennet	Fitzgerald	Kelly	Poth	Snyder
Bradley	Fordyce	Kelsey	Price	Stevens
Brooks	Frisbie	Knipp	Rainey	Swarts
Bryan	Gardiner R	Landon	Remsen	Thorn
Cadin	Geoghan	Lewis M E	Richter	Traub
Cook	Griffith	Lynn	Rider	Vacheron
Coons	Halpin	Mansfield	Roberts	Waite
Cotton	Hanford	Mathews	Rodenbeck	Weekes
Coughtry	Harburger	McInerney	Ross	Wilson H
Darrison	Hasenflug	McKeown		

Ordered, That the clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1502) entitled "An act to amend section 15 of the Town Law,

as amended by chapter 344 of the Laws of 1893, and chapter 239 of the Laws of 1895, and chapter 481 of the Laws of 1897." (Rec. No. 465.)

Said bill was read the second time.

On motion of Mr. Apgar, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 123 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Dempsey	Hawkins	O'Connell	Schneider
Adler	Dickey	Henry	O'Malley	Seymour
Ahern	Dickinson	Hitchcock	Orr	Sherer
Allston	Dooling	Honeck	Patton	Smith A R
Axtell	Doughty	Hyman	Phillips	Smith J L
Babcock	Dusinbery	Irwin	Phipps	Smith J T
Baum	Egan	Juengst	Plank	Smith S W
Bedell	Ellis	Kaiser	Platt	Smith W H
Bennet	Everett	Keenan	Poth	Snyder
Bradley	Fish	Kelly	Price	Stevens
Brooks	Fisher	Knipp	Prince	Sullivan
Bruckner	Fitzpatrick	Landon	Rainey	Swarts
Bryan	Fordyce	Leggett	Reilley	Swift
Burnett	Fowler	Lewis M E	Remsen	Thorn
Burns	Frisbie	Lewis T D	Reynolds	Traub
Conger	Gardiner R	Lynn	Richter	Treat
Cook	Gardner C J	Mains	Rider	Ulmann
Cooley	Geoghan	Mansfield	Rierdon	Vacheron
Coons	Graeff	Mathews	Robinson	Van Name
Cotton	Griffith	McInerney	Rodenbeck	Waite
Coughtry	Hallock	McMillan	Rogers	Walrath
Daly	Hammond	McQuade	Ruehl	Weber
Davis	Hanford	Meister	Salyerds	Weekes
DeGraw	Harris	Nye	Sanders	Wilson H
Delaney	Hasenflug	O'Brien		

Ordered, That the clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1159) entitled "Concurrent resolution proposing amendment to article 6 of the Constitution, relating to the election of additional justices of the Supreme Court." (Rec. No. 478.)

Said bill was read the second time.

On motion of Mr. Delaney, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 106 }
{ NOES 1 }

Those who voted in the affirmative, were

Adams	Costello	Halpin	Mathews	Ross
Adler	Cotton	Hammond	McInerney	Ruehl
Ahern	Coughtry	Hanford	McMillan	Sanders
Allston	Daly	Harris	McQuade	Scanlon
Apgar	Davis	Hasenflug	Meister	Seymour
Axtell	Delaney	Hawkins	Nye	Smith A R
Babcock	Dickey	Hitchcock	O'Brien	Smith J E
Baker	Dickinson	Holsten	O'Malley	Smith J T
Baum	Doughty	Hyman	Orr	Smith S W
Bedell	Dusinbery	Irwin	Phillips	Smith W H
Bell	Egan	Juengst	Plank	Stevens
Bennet	Everett	Kaiser	Platt	Swarts
Bradley	Fish	Keenan	Poth	Swift
Brill	Fisher	Kelly	Price	Thorn
Brooks	Fitzpatrick	Kelsey	Rainey	Treat
Bruckner	Fordyce	Knipp	Remsen	Ulmann
Bryan	Frisbie	Landon	Reynolds	Van Name
Burnett	Galbraith	Lewis M E	Rider	Walrath
Burns	Gardner C J	Lynn	Roberts	Weber

Cadin	Graeff	Mains	Robinson	Weekes
Cook	Griffith	Mansfield	Rodenbeck	Wilson H
Coolcy				

In the negative,

Allds

Ordered, That the clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1175) entitled "An act to remit certain taxes heretofore imposed upon the lands of the Roman Catholic Orphan Asylum in the city of New York." (Rec. No. 319.)

Said bill was read the second time.

On motion of Mr. Bennet, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 102 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Dempsey	Hanford	Mathews	Ross
Adler	Dickey	Harburger	McKeown	Ruehl
Ahern	Dickinson	Hasenflug	McQuade	Sanders
Allston	Doughty	Hatch	Meister	Scanlon
Apgar	Duross	Hawkins	Morgan	Schneider
Axtell	Dusinbery	Hitchcock	O'Brien	Sherer
Baker	Egan	Holsten	O'Connell	Smith A R
Baum	Everett	Hyman	Orr	Smith J L
Bell	Fancher	Irwin	Patton	Smith S W
Blackwell	Fisher	Juengst	Phipps	Smith W H
Bradley	Fitzgerald	Kaiser	Platt	Stevens
Brooks	Fordyce	Keenan	Poth	Swarts
Bryan	Frisbie	Kelly	Price	Thorn
Burns	Galbraith	Kelsey	Rainey	Traub

Conger	Gardner C J	Knipp	Remsen	Ulmann
Cooley	Gardner C J	Leggett	Reynolds	Vacheron
Costello	Geoghan	Lewis M E	Rider	Waite
Coughtry	Griffith	Lynn	Rierdon	Weber
Daly	Hallock	Mains	Robinson	Weekes
Davis	Halpin	Marson	Rodenbeck	Wilson H
DeGraw	Hammond			

Ordered, That the clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1388) entitled "An act to fix and establish the annual salary of the county judge of Westchester county, and repealing section 222 of chapter 686 of the Laws of 1892 so far as it relates to Westchester county." (Rec. No. 455.)

Said bill was read the second time.

On motion of Mr. Apgar, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 114 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Daly	Harburger	McMillan	Ross
Adler	Darrison	Hatch	McQuade	Ruehl
Ahern	DeGraw	Hawkins	Meister	Salyerds
Allds	Delaney	Henry	Morgan	Scanlon
Allston	Dickey	Holsten	O'Brien	Seymour
Apgar	Dickinson	Honeck	O'Connell	Sherer
Axtell	Dooling	Hyman	O'Malley	Smith J E
Babcock	Doughty	Irwin	Orr	Smith J L
Baker	Dusinbery	Juengst	Phillips	Smith S W
Bedell	Egan	Kaiser	Phipps	Smith W H

Bell	Ellis	Keenan	Plank	Snyder
Blackwell	Everett	Kelly	Platt	Stevens
Bradley	Fish	Kelsey	Poth	Swarts
Brill	Fisher	Knipp	Price	Swift
Bruckner	Fitzgerald	Landon	Rainey	Thorn
Bryan	Fordyce	Lewis M E	Reilley	Treat
Burnett	Frisbie	Lewis T D	Reynolds	Ulmann
Burns	Gardiner R	Lynn	Richter	Van Name
Cadin	Geoghan	Mansfield	Rierdon	Waite
Cook	Graeff	Marson	Roberts	Weber
Coons	Hallock	Mathews	Robinson	Weekes
Costello	Halpin	McKeown	Rodenbeck	Wilson H
Coughtry	Hanford			

Ordered, That the clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1111) entitled "An act to amend the Forest, Fish and Game Law, relative to hounding deer." (Rec. No. 264.)

Said bill having been announced for a second reading,

On motion of Mr. Kelsey, and by unanimous consent, said bill was ordered placed on the order of second and third reading calendar for Tuesday next.

Mr. Speaker announced the special order, being the Senate bill (No. 1099) entitled "An act to amend section 15 of the General Corporation Law, chapter 687 of the Laws of 1892, as amended by chapter 96 of the Laws of 1901, in relation to certificates of authority of a foreign corporation." (Rec. No. 930.)

Said bill was read the second time.

On motion of Mr. Mansfield, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{	AYES	96	}
	NOES	00	

Those who voted in the affirmative, were

Adams	DeGraw	Hammond	McInerney	Ross
Adler	Delaney	Hanford	McMillan	Salverds
Ahern	Dickey	Harris	McQuade	Sanders
Allds	Dooling	Hatch	Morgan	Schneider
Apgar	Doughty	Hawkins	Nye	Sherer
Axtell	Duross	Hitchcock	O'Connell	Smith A R
Baker	Egan	Holsten	O'Malley	Smith J L
Baum	Ellis	Honeck	Patton	Smith S W
Bell	Fancher	Irwin	Phipps	Stevens
Blackwell	Fish	Kaiser	Platt	Swarts
Bradley	Fitzgerald	Keenan	Poth	Swift
Brill	Fitzpatrick	Kelly	Prince	Thorn
Bruckner	Fowler	Kelsey	Rainey	Treat
Burnett	Frisbie	Knipp	Remsen	Ulmann
Cadin	Galbraith	Leggett	Reynolds	Van Name
Cook	Gardiner R	Lewis T D	Rider	Walrath
Cooley	Geoghan	Mains	Rierdon	Weber
Costello	Griffith	Mansfield	Robinson	Weekes
Coughtry	Halpin	Mathews	Rogers	Wilson H
Darrison				

Ordered, That the clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the bill (No. 72) entitled "An act in relation to the construction, maintenance and operation of railroads upon Ashland place, in the borough of Brooklyn, in the city of New York." (Int. No. 72.)

Said bill was read the second time.

On motion of Mr. Blackwell, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{	AYES	93	}
{	NOES	00	}

Those who voted in the affirmative, were

Adams	Darrison	Hammond	Marson	Rogers
Adler	Davis	Hanford	McInerney	Ross
Ahern	DeGraw	Harris	McKeown	Sanders
Allston	Dempsey	Hasenflug	McQuade	Schneider
Axtell	Dickey	Hawkins	Meister	Sherer
Baker	Dooling	Henry	Nye	Smith A R
Baum	Doughty	Hitchcock	O'Brien	Smith J L
Bedell	Egan	Honeck	O'Malley	Smith S W
Bennet	Ellis	Hyman	Patton	Snyder
Blackwell	Fancher	Irwin	Phipps	Stevens
Brill	Fish	Kaiser	Plank	Swarts
Brooks	Fitzgerald	Keenan	Poth	Thorn
Bryan	Fordyce	Kelly	Price	Traub
Burns	Frisbie	Knipp	Rainey	Ulmann
Cadin	Galbraith	Landon	Reilley	Van Name
Cook	Gardner C J	Leggett	Richter	Walrath
Cooley	Graeff	Lewis T D	Rierdon	Weekes
Costello	Griffith	Lynn	Robinson	Wilson H
Coughtry	Halpin	Mansfield		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2596) entitled "An act to amend the Penal Code in relation to the sale or delivery of uncooked flesh foods on Sunday." (Int. No. 1699.)

Said bill having been announced for a second reading,

Mr. O'Connell moved to amend as follows:

Page 1, by striking out all new matter and inserting instead the following: "Except by persons who uniformly observe another day than the first day of the week as Sabbath day and who do not sell or expose for sale uncooked flesh foods or meats, fresh or salt, at any hour or time during said Sabbath."

Debate was had thereon, when

Mr. Allds, moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. O'Connell, and it was determined in the negative.

{	AYES	30	}
{	NOES	83	}

Those who voted in the affirmative, were

Ahern	Dickey	Hasenflug	Mathews	Reilley
Baum	Dooling	Holsten	McKeown	Richter
Bruckner	Duross	Juengst	McMillan	Scanlon
Cadin	Fitzgerald	Kaiser	O'Connell	Smith W H
Delaney	Fitzpatrick	Keenan	Poth	Thorn
Dempsey	Hammond	Lynn	Rainey	Traub

Those who voted in the negative, were

Adams	Cook	Gardner C J	Mansfield	Rodenbeck
Adler	Cooley	Griffith	Marson	Rogers
Allds	Coons	Hallock	McQuade	Ross
Allston	Costello	Hanford	Morgan	Schneider
Apgar	Cotton	Harris	Nye	Seymour
Axtell	Coughtry	Hatch	O'Malley	Sherer
Babcock	Darrison	Henry	Orr	Smith J E
Bedell	Davis	Hitchcock	Patton	Smith J L
Bell	Dickinson	Honeck	Phillips	Smith J T
Bennet	Dusinbery	Hyman	Phipps	Smith S W
Blackwell	Ellis	Kelsey	Plank	Stevens
Bradley	Everett	Knipp	Platt	Swarts
Brill	Fancher	Landon	Price	Swift
Brooks	Fish	Leggett	Remsen	Waite
Bryan	Fordyce	Lewis M E	Rierdon	Weber
Burnett	Fowler	Lewis T D	Roberts	Weekes
Conger	Gardiner R	Mains		

Said bill was read the second time.

On motion of Mr. Adler, said bill was placed on the order of third reading.

A message was received from the Governor in the words following:

STATE OF NEW YORK—EXECUTIVE CHAMBER.

To the Legislature:

It appearing to my satisfaction that the public interest requires it;

Therefore, In accordance with the provisions of section 15 of article 3 of the Constitution and by virtue of the authority thereby conferred upon me, I do hereby certify to the necessity of the immediate passage of Assembly bill Int. No. 1699, entitled "An

act to amend the Penal Code in relation to the sale or delivery of uncooked flesh foods on Sunday."

Given under my hand and the privy seal of the State at the Capitol, in the city of Albany, this twenty-second day [L. s.] of April, in the year of our Lord, one thousand nine hundred and one.

B. B. ODELL, JR.

By the Governor:

JAS. G. GRAHAM,

Secretary to the Governor.

Said bill was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 101 }
 } NOES 13 }

Those who voted in the affirmative, were

Adams	Costello	Harburger	Morgan	Rogers
Adler	Cotton	Harris	Nye	Ross
Allds	Coughtry	Hatch	O'Brien	Ruehl
Allston	Darrison	Hawkins	O'Malley	Salyerds
Apgar	Davis	Henry	Orr	Sanders
Axtell	Delaney	Hitchcock	Patton	Schneider
Babcock	Dusinbery	Honeck	Phillips	Seymour
Baker	Ellis	Hyman	Plank	Sherer
Bedell	Everett	Irwin	Platt	Smith A R
Bell	Fancher	Kelsey	Poth	Smith J E
Blackwell	Fisher	Knipp	Price	Smith J L
Bradley	Fordyce	Landon	Prince	Smith S W
Brill	Fowler	Leggett	Rainey	Stevens
Brooks	Frisbie	Lewis T D	Reilley	Sullivan
Bryan	Galbraith	Mains	Remsen	Swift
Burnett	Gardiner R	Mansfield	Keynolds	Treat
Burns	Gardner C J	Marson	Rierdon	Ulmann
Cadin	Hallock	McInerney	Roberts	Vacheron
Conger	Hammond	McMillan	Robinson	Weekes
Cook	Hanford	Meister	Rodenbeck	Wilson H
Cooley				

Those who voted in the negative, were

Ahern	Duross	Holsten	McQuade	Richter
Dickey	Fitzgerald	Juengst	O'Connell	Traub
Dooling	Fitzpatrick	Keenan		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 160) entitled "An act to exempt from taxation the property of certain medical societies situated in cities of the first class." (Int. No. 160.)

Said bill was then read the second time.

On motion of Mr. Cotton, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

}	AYES	118	}
}	NOES	1	}

Those who voted in the affirmative, were

Adams	Cooley	Hallock	McInerney	Rogers
Adler	Costello	Hammond	McKeown	Ruehl
Ahern	Cotton	Hanford	McMillan	Salyerds
Allds	Coughtry	Harburger	McQuade	Sanders
Allston	Daly	Harris	Meister	Schneider
Apgar	Davis	Hasenflug	Morgan	Sherer
Axtell	DeGraw	Hawkins	Nye	Smith A R
Babcock	Delaney	Henry	O'Brien	Smith J E
Baker	Dickey	Holsten	O'Malley	Smith J L
Baum	Dickinson	Honeck	Orr	Smith S W
Bedell	Dooling	Irwin	Patton	Smith W H
Bell	Doughty	Juengst	Phillips	Snyder
Bennet	Dusinbery	Kaiser	Phipps	Sullivan
Blackwell	Egan	Keenan	Platt	Swift
Bradley	Ellis	Kelly	Poth	Thorn
Brill	Fancher	Kelsey	Price	Traub
Brooks	Fisher	Knipp	Rainey	Treat
Bruckner	Fitzpatrick	Landon	Reilley	Vacheron
Bryan	Fordyce	Leggett	Reynolds	Van Name
Burnett	Frisbie	Lewis T D	Richter	Waite
Burns	Gardiner R	Lynn	Rider	Walrath

Cadin	Gardner C J	Mains	Roberts	Weekes
Conger	Graeff	Mansfield	Robinson	Wilson H
Cook	Griffith	Mathews		

In the negative,

Fowler

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the Senate bill (No. 1167, Assembly reprint No. 2584) entitled "An act to amend chapter 4 of the Laws of 1891, entitled 'An act to provide for rapid transit railways in cities of over 1,000,000 inhabitants.'" (Rec. No. 367.)

Said bill was read the second time.

On motion of Mr. Kelsey, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 95 }
{ NOES 2 }

Those who voted in the affirmative, were

Adams	Costello	Halpin	McQuade	Ruehl
Adler	Cotton	Hanford	Morgan	Scaplon
Ahern	Daly	Harburger	Nye	Seymour
Allston	Darrison	Hasenflug	O'Brien	Sherer
Apgar	Davis	Hatch	O'Malley	Smith A R
Baker	Delaney	Henry	Orr	Smith J E
Baum	Dickey	Holsten	Patton	Smith J T
Bedell	Doughty	Hyman	Phipps	Smith S W
Bell	Duross	Juengst	Plank	Snyder
Bennet	Egan	Kaiser	Platt	Sullivan
Blackwell	Ellis	Keenan	Poth	Swift
Bradley	Fancher	Kelly	Prince	Thorn
Brill	Fisher	Kelsey	Rainey	Traub
Bruckner	Fitzpatrick	Knipp	Remsen	Ulmann
Bryan	Fordyce	Leggett	Reynolds	Vacheron

Cadin	Gardiner R	Lynn	Rierdon	Walrath
Cooley	Gardner C J	Mansfield	Roberts	Weber
Coons	Graeff	Mathews	Rodenbeck	Weekes
Costello	Hallock	McKeown	Rogers	Wilson H

Those who voted in the negative, were

Sanders \ Van Name

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, with amendments.

Mr. Speaker announced the special order, being the Senate bill (No. 1032) entitled "An act to amend sections 2647, 2649, 2651, 2652, 2653-a, 2626, 2627 and 2588 of the Code of Civil Procedure, relating to revocation of probate, and relating to award of jury trial upon reversal in probate cases." (Rec. No. 464.)

Said bill was read the second time.

On motion of Mr. O'Malley, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 101 }
{ NOES 17 }

Those who voted in the affirmative, were

Adams	Coons	Hatch	Meister	Salverds
Adler	Coughtry	Henry	Nye	Sullivan
Ahern	Darrison	Hitchcock	O'Brien	Scanlon
Allston	Davis	Irwin	O'Connell	Schneider
Babcock	Delaney	Juengst	O'Malley	Seymour
Baker	Dickinson	Kaiser	Patton	Sherer
Baum	Dooling	Keenan	Phillips	Smith J E
Bell	Dusinbery	Kelly	Prince	Smith J L
Bennet	Egan	Knipp	Rainey	Smith J T
Blackwell	Ellis	Landon	Remsen	Smith S W
Bradley	Fancher	Leggett	Reynolds	Snyder
Brill	Fisher	Lewis M E	Richter	Sullivan

Burnett	Cooley	Hasenflug	Rider	Swarts
Brooks	Fitzgerald	Lewis T D	Rierdon	Swift
Bruckner	Fitzpatrick	Lynn	Roberts	Thorn
Burnett	Fowler	Mains	Robinson	Traub
Burns	Gardiner R	Mansfield	Rodenbeck	Treat
Cadin	Hallock	Mathews	Rogers	Vacheron
Conger	Halpin	McKeown	Ross	Walrath
Cook	Harris	McMillan	Ruehl	Weekes

Those who voted in the negative, were

Axtell	Dickey	Graeff	McInerney	Plank
Bedell	Duross	Holsten	Morgan	Reilley
Costello	Fish	Kelsey	Orr	Smith W H
Daly	Frisbie			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1597) entitled "An act to facilitate transportation connections with wharves, docks, and piers in the cities of this State." (Rec. No. 497.)

Said bill having been announced for a second reading,

Mr. Allds moved that said bill be recommitted to the committee on rules.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Allds, and it was determined in the affirmative.

Mr. Speaker announced the special order, being the Senate bill (No. 1598) entitled "An act to amend the Penal Code relative to the directors of stock corporations and to corporate elections, so as to harmonize the same with the General Corporation Law and the Stock Corporation Law as amended." (Rec. No. 500.)

Said bill was read the second time.

On motion of Mr. Mansfield, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 108 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Coughtry	Graeff	Mains	Rierdon
Adler	Daly	Hallock	Mansfield	Robinson
Ahern	Darrison	Halpin	Mathews	Rogers
Allds	DeGraw	Hanford	McInerney	Ross
Allston	Delaney	Harburger	McKeown	Salyerds
Apgar	Dempsey	Hallock	McMillan	Scanlon
Babcock	Dickinson	Hatch	McQuade	Schneider
Baker	Dooling	Hawkins	Meister	Sherer
Baum	Doughty	Henry	Nye	Smith A R
Bell	Duross	Hitchcock	O'Brien	Smith J E
Bennet	Egan	Honeck	O'Connell	Smith J T
Blackwell	Ellis	Hyman	O'Malley	Smith W H
Brill	Everett	Irwin	Patton	Snyder
Brooks	Fancher	Juengst	Phillips	Sullivan
Bryan	Fisher	Kaiser	Plank	Swift
Burnett	Fitzgerald	Keenan	Platt	Thorn
Burns	Fordyce	Kelly	Price	Treat
Cadin	Frisbie	Kelsey	Prince	Vacheron
Cook	Galbraith	Knipp	Reilley	Waite
Cooley	Gardiner R	Leggett	Reynolds	Weber
Costello	Gardner C J	Lewis M E	Rider	Wilson H
Cotton	Geoghan	Lewis T D		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1572) entitled "An act to relieve the congestion and facilitate the traffic on the New York and Brooklyn bridge, and to improve and extend the footpaths, roadways, railway tracks and other facilities for the use of pedestrians, vehicles and railway passengers at the westerly or Manhattan terminal of said bridge." (Rec. No. 491.)

Said bill was read the second time.

On motion of Mr. McKeown, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{	AYES	85	}
{	NOES	31	}

Those who voted in the affirmative, were

Adams	Cotton	Griffith	Lynn	Reilley
Adler	Daly	Hallock	Mansfield	Richter
Ahern	Darrison	Hammond	Marson	Rider
Allds	Dempsey	Hanford	Mathews	Rierdon
Apgar	Dickinson	Hasenflug	McInerney	Roberts
Axtell	Dusinbery	Hawkins	McKeown	Ross
Babcock	Egan	Hitchcock	McMillan	Ruehl
Baker	Fancher	Holsten	Nye	Scanlon
Bedell	Fish	Irwin	O'Brien	Schneider
Bradley	Fisher	Juengst	O'Connell	Sherer
Brill	Fordyce	Kelly	O'Malley	Smith A R
Brooks	Fowler	Kelsey	Orr	Smith J E
Bryan	Frisbie	Knipp	Patton	Smith J L
Burns	Galbraith	Landon	Phillips	Sullivan
Cadin	Gardiner R	Leggett	Phipps	Traub
Conger	Geoghan	Lewis M E	Prince	Vacheron
Coons	Graeff	Lewis T D	Rainey	Wilson H

Those who voted in the negative were,

Bell	Dooling	Honeck	Remsen	Smith W H
Bennet	Duross	Mains	Reynolds	Snyder
Blackwell	Everett	Meister	Rogers	Stevens
Cook	Halpin	Morgan	Salyerds	Swift
Cooley	Harburger	Plank	Seymour	Treat
Davis	Henry	Price	Smith S W	Walrath
Dickey				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 821) entitled "An act to further amend chapter 909 of the Laws of 1896, entitled 'An act in relation to the elections, constituting chapter 6 of the general laws.'" (Rec. No. 361.)

Said bill was then read the second time.

On motion of Mr. Burnett, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 105 {
{ NOES 60 }

Those who voted in the affirmative, were

Adams	Costello	Hanford	McInerney	Sanders
Adler	Coughtry	Harburger	McKeown	Scanlon
Ahern	Daly	Hasenflug	McQuade	Schneider
Allds	Darrison	Hawkins	Morgan	Seymour
Allston	Davis	Henry	Nye	Smith A R
Apgar	Delaney	Holsten	O'Connell	Smith J E
Axtell	Dempsey	Hyman	O'Malley	Smith J T
Babcock	Dickinson	Irwin	Patton	Smith S W
Baker	Dooling	Juengst	Phillips	Smith W H
Bedell	Duross	Kaiser	Phipps	Stevens
Bell	Egan	Keenan	Platt	Sullivan
Bennet	Everett	Kelly	Price	Swift
Blackwell	Fish	Kelsey	Rainey	Thorn
Brill	Fitzgerald	Knipp	Reilley	Traub
Brooks	Fordyce	Landon	Reynolds	Treat
Bruckner	Fowler	Leggett	Rider	Ulmann
Bryan	Galbraith	Lewis T D	Rierdon	Van Name
Burnett	Gardner C J	Lynn	Roberts	Waite
Cadin	Geoghan	Mains	Rodenbeck	Weber
Cook	Griffith	Marson	Ross	Weekes
Cooley	Halpin	Mathews	Ruehl	Wilson H

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1503) entitled "An act in relation to the commissioners of the Palisades Interstate Park and making an appropriation therefor." (Rec. No. 456.)

Said bill was then read the second time.

On motion of Mr. Bennet, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 117 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Darrison	Harburger	McMillan	Salyerds
Adler	DeGraw	Harris	McQuade	Scanlon
Ahern	Delaney	Hasenflug	Meister	Seymour
Allds	Dempsey	Hawkins	Nye	Smith A R
Allston	Dickey	Henry	O'Brien	Smith J E
Apgar	Dooling	Holsten	O'Connell	Smith J L
Babcock	Doughty	Honeck	Orr	Smith S W
Baker	Duross	Hyman	Phillips	Smith W H
Baum	Dusinbery	Irwin	Plank	Snyder
Bedell	Egan	Juengst	Platt	Stevens
Bennet	Everett	Kaiser	Poth	Sullivan
Blackwell	Fancher	Keenan	Prince	Swarts
Bradley	Fisher	Kelly	Rainey	Swift
Brill	Fitzgerald	Kelsey	Reilley	Thorn
Bruckner	Fitzpatrick	Knipp	Remsen	Traub
Bryan	Fordyce	Leggett	Reynolds	Treat
Burns	Frisbie	Lewis M E	Richter	Ulmann
Cadin	Galbraith	Lewis T D	Rider	Van Name
Cook	Gardiner R	Lynn	Roberts	Waite
Cooley	Gardner C J	Mains	Robinson	Walrath
Coons	Griffith	Mansfield	Rodenbeck	Weber
Costello	Halpin	Mathews	Rogers	Weekes
Coughtry	Hammond	McInerney	Ruehl	Wilson W H
Daly	Hanford			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1016) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Charles D. Thomas as administrator of the goods, chattels and credits of Jennie M. Thomas, deceased, against the State of New York for damages for the death of said Jennie M. Thomas, deceased." (Rec. No. 486.)

Said bill was then read the second time.

On motion of Mr. Allston, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 110 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	DeGraw	Hammond	Marson	Rierdon
Adler	Dempsey	Harburger	Mathews	Roberts
Allds	Dickey	Hasenflug	McInerney	Robinson
Allston	Dickinson	Hatch	McKeown	Ross
Axtell	Dooling	Hawkins	McQuade	Salyerds
Babcock	Doughty	Henry	Morgan	Sanders
Baum	Dusinbery	Hitchcock	Nye	Schneider
Bedell	Egan	Holsten	O'Brien	Seymour
Bennet	Everett	Honeck	O'Connell	Sherer
Blackwell	Fancher	Hyman	O'Malley	Smith J L
Bradley	Fisher	Irwin	Orr	Smith J T
Brooks	Fitzgerald	Kaiser	Phillips	Smith W H
Bruckner	Fitzpatrick	Keenan	Phipps	Snyder
Burnett	Fordyce	Kelly	Platt	Sullivan
Burns	Fowler	Kelsey	Poth	Swarts
Conger	Frisbie	Knipp	Price	Thorn
Cook	Gardiner R	Landon	Rainey	Treat

Coons	Gardner C J	Leggett	Reilley	Vacheron
Costello	Geoghan	Lewis M E	Remsen	Waite
Coughtry	Graeff	Lewis T D	Reynolds	Weber
Daly	Griffith	Lynn	Richter	Weekes
Davis	Hallock	Mains	Rider	Wilson H

Ordered, That the clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 652) entitled "An act to provide for the clearing of Brown's Tract inlet, South inlet and Marion river on Township 6 and 40 Totten & Crossfield's purchase, Hamilton county, and the clearing of the shores thereof, and making an appropriation therefor." (Rec. No. 291.)

Said bill was read the second time.

On motion of Mr. M. E. Lewis, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 113 }
{ NOES 1 }

Those who voted in the affirmative, were

Adams	Dempsey	Hawkins	O'Malley	Schneider
Adler	Dickey	Hitchcock	Orr	Seymour
Ahern	Dickinson	Holsten	Patton	Sherer
Allds	Doughty	Hyman	Phillips	Smith A R
Apgar	Dusinbery	Irwin	Phipps	Smith J E
Babcock	Egan	Juengst	Plank	Smith J L
Baker	Ellis	Keenan	Poth	Smith S W
Bedell	Everett	Kelly	Price	Smith W H
Bell	Fish	Knipp	Prince	Snyder
Bennet	Fitzgerald	Landon	Rainey	Stevens
Blackwell	Fitzpatrick	Leggett	Reilley	Sullivan
Brill	Frisbie	Lewis M E	Remsen	Swarts

Bruckner	Galbraith	Lynn	Reynolds	Swift
Burnett	Gardner C J	Mains	Richter	Traub
Burns	Geoghan	Mansfield	Rider	Treat
Cadin	Griffith	Mathews	Roberts	Vacheron
Cook	Hallock	McInerney	Robinson	Van Name
Coons	Halpin	McKeown	Rodenbeck	Waite
Cotton	Hammond	McMillan	Rogers	Walrath
Daly	Hanford	Meister	Ruehl	Weber
Darrison	Harburger	Morgan	Salyerds	Weekes
Davis	Harris	O'Brien	Scanlon	Wilson H
Delaney	Hasenflug	O'Connell		

In the negative,

Dooling

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1604) entitled "An act dividing the State into Congressional districts." (Rec. No. 493.)

Said bill having been announced for a second reading,

Mr. Kelsey moved to amend as follows:

Page 10, line 8, after the words "eleventh district" insert the following: "That portion of the fifth assembly district bounded on the north by Christopher street from West Fourth street to Sixth avenue, to Ninth street, to Fifth avenue, to East Tenth street, to University place, to East Fourteenth street, to Third avenue; on the south by Grove street from Hudson street, to Bleecker street, to Cornelia street, to Sixth avenue, to West Third street, to Broadway, to East Fourth street, to Third avenue; on the east by Third avenue from East Fourth street to East Fourteenth street; on the west by Hudson street from Grove street to the intersection of Hudson street and Eighth avenue."

Same page, same line, change capital "T" to lower case "t."

Page 11, line 22, strike out the words "to West Eleventh street" and insert the following: "to Grove street, easterly to Bleecker street, easterly on Bleecker street to Cornelia street, easterly on Cornelia street to Sixth avenue, south to West Third street, east to Broadway, north to East Fourth street, east to Third avenue, north to East Fourteenth street, west to University place, south to East Tenth street, west to Fifth avenue, south to West Ninth street, west to Christopher street, westerly to

West Fourth street, northerly to Eighth avenue, to Hudson street, southerly along Hudson street to West Eleventh street."

Page 15, line 9, after the word "street" insert the words "on the east by Seventh avenue from West Nineteenth street to West Thirteenth street."

Mr. Speaker put the question whether the House would agree to said motion of Mr. Kelsey, and it was determined in the affirmative.

Said bill as amended was then read the second time.

On motion of Mr. Kelsey, said bill was ordered reprinted and placed on the order of third reading.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK—EXECUTIVE CHAMBER.

To the Legislature:

It appearing to my satisfaction that the public interest requires it;

Therefore, In accordance with the provisions of section 15 of article 3 of the Constitution, and by virtue of the authority thereby conferred upon me, I do hereby certify to the necessity of the immediate passage of Senate bill No. 1604 (Int. No. 705), entitled "An act dividing the State into congressional districts," as amended.

Given under my hand and the privy seal of the State at the Capitol, in the city of Albany, this twenty-second day
[L. S.] April, in the year of our Lord one thousand nine hundred and one.

B. B. ODELL, JR.

By the Governor:

JAS. G. GRAHAM,

Secretary to the Governor.

Said bill as amended was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 101 }
 { NOES 44 }

Those who voted in the affirmative, were

Adams	Cotton	Hammond	O'Brien	Seymour
Adler	Darrison	Hanford	O'Malley	Sherer
Allds	Davis	Harris	Orr	Smith A R
Allston	DeGraw	Hatch	Patton	Smith J L
Apgar	Dickinson	Henry	Phillips	Smith J T
Axtell	Doughty	Hitchcock	Phipps	Smith S W
Babcock	Dusinbery	Irwin	Plank	Smith W H
Baker	Ellis	Kelsey	Platt	Snyder
Bedell	Everett	Knipp	Price	Stevens
Bell	Fancher	Landon	Rainey	Swarts
Bennet	Fish	Leggett	Remsen	Swift
Blackwell	Fisher	Lewis M E	Reynolds	Thorn
Brill	Fordyce	Lewis T D	Roberts	Traub
Brooks	Fowler	Mains	Robinson	Treat
Bryan	Galbraith	Mansfield	Rodenbeck	Vacheron
Burnett	Gardiner R	Marson	Rogers	Waite
Cadin	Gardner C J	McMillan	Ross	Walrath
Conger	Graeff	McQuade	Ruehl	Weber
Cooley	Griffith	Morgan	Salyerds	Weekes
Coons	Hallock	Nye	Schneider	Wilson H
Costello				

Those who voted in the negative, were

Baum	Duross	Hawkins	Mathews	Rider
Bradley	Egan	Holsten	McInerney	Richter
Bruckner	Fitzgerald	Honeck	McKeown	Sanders
Burns	Fitzpatrick	Hyman	Meister	Scanlon
Daly	Frisbie	Juengst	O'Connell	Smith J E
Delaney	Geoghan	Kaiser	Poth	Sullivan
Dempsey	Halpin	Keenan	Prince	Ulmann
Dickey	Harburger	Kelly	Reilley	Van Name
Dooling	Hasenflug	Lynn	Richter	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, with amendments.

Mr. Speaker announced the special order, being the Senate bill (No. 798) entitled "An act to provide for the acquisition of additional land for the Creedmoor rifle range, and making an appropriation therefor." (Rec. No. 178.)

Said bill was read the second time.

On motion of Mr. Vacheron, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 127 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Darrison	Hasenflug	McMillan	Scanlon
Ahern	Davis	Hatch	McQuade	Schneider
Allds	Delaney	Hawkins	Meister	Seymour
Allston	Dempsey	Henry	Morgan	Sherer
Axtell	Dickey	Hitchcock	Nye	Smith A R
Babcock	Dickinson	Holsten	O'Brien	Smith J E
Baker	Dooling	Honeck	O'Malley	Smith J L
Baum	Duross	Hyman	Orr	Smith J T
Bedell	Egan	Irwin	Patton	Smith S W
Bell	Ellis	Juengst	Phipps	Smith W H
Bennet	Everett	Kaiser	Plank	Snyder
Blackwell	Fish	Keenan	Platt	Stevens
Brill	Fitzgerald	Kelly	Price	Sullivan
Brooks	Fitzpatrick	Kelsey	Prince	Swarts
Bruckner	Fowler	Knipp	Rainey	Thorn
Bryan	Frisbie	Landon	Reilley	Traub
Burnett	Gardiner R	Leggett	Reynolds	Treat
Cadin	Gardner C J	Lewis M E	Richter	Ulmann
Conger	Geoghan	Lewis T D	Rierdon	Vacheron
Cook	Griffith	Lynn	Roberts	Van Name
Cooley	Hallock	Mains	Robinson	Waite
Coons	Halpin	Mansfield	Rogers	Walrath
Costello	Hammond	Marson	Ross	Weber
Cotton	Hanford	Mathews	Ruehl	Weekes
Coughtry	Harburger	McInerney	Sanders	Wilson H
Daly	Harris			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate returned the bill (No. 1041, Senate reprint No. 1591) entitled "An act making appropriations for the support of government" (Int. No. 173), with a message that they have agreed to the report of the committee of conference in the words following:

To the Legislature:

The undersigned appointed by the Senate and Assembly as a committee of conference relative to the matters of difference arising between the two houses upon the Assembly No. 1340, entitled "An act making appropriations for the support of the government" (Rec. No. 162), report that they have duly conferred upon said matters, and agreed to amend as follows:

The Senate recedes from all amendments offered to Assembly bill No. 1041, and in lieu thereof the conference committee reports the following substitute bill therefor, to be reprinted and placed on the order of third reading:

FRANK W. HIGGINS,
E. R. BROWN,
BERNARD F. MARTIN,
Senate Conferees.

J. P. ALLDS,
OTTO KELSEY,
DANIEL D. FRISBIE,
GEORGE T. KELLY,
Assembly Conferees.

AN ACT making appropriations for the support of government.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. The several amounts named in this act are hereby appropriated and authorized to be paid from the several funds indicated, to the respective public officers, and for the several purposes specified, for the fiscal year beginning on the first day of October, in the year nineteen hundred and one, namely:

FROM THE GENERAL FUND.

EXECUTIVE DEPARTMENT.

For the governor, for salary, ten thousand dollars.

For lieutenant-governor, for salary, five thousand dollars.

For the secretary to the governor, for salary, four thousand dollars.

For the military secretary, two thousand dollars.

For clerks, stenographers and messengers in the executive department, for salaries, nine thousand nine hundred dollars, or so much thereof as may be necessary.

For blanks and other books necessary for the use of the executive department, binding, printing, stationery, telegraphing, and other incidental expenses thereof, five thousand dollars, or so much thereof as may be necessary. For postage and expense of transportation of all letters, official documents, or other matter sent by express or freight, including boxes or covering for same, fourteen hundred and fifty dollars, or so much thereof as may be necessary.

For repairs, furniture and incidental expenses of the executive mansion and rent of stable, three thousand dollars, to be paid by the comptroller on the certificate of the governor.

For the payment of notarial clerks, and expenses of notarial department, seven thousand five hundred dollars, or so much thereof as may be necessary, to be paid by the treasurer on the order of the comptroller from the money received for fees of notaries.

JUDICIARY.

COURT OF APPEALS.

For the judges of the court of appeals, for salaries, seventy thousand five hundred dollars; for necessary expenses, twenty-five thousand nine hundred dollars.

For the justices of the supreme court serving as associate judges of the court of appeals, for salary thirty thousand dollars; and for other necessary expenses, eleven thousand one hundred dollars.

For the state reporter, for salary, five thousand dollars; for clerk hire and additional assistance, seven thousand dollars, and for office expenses, one thousand dollars.

For clerk of the court of appeals, for salary, five thousand dollars.

For the deputy clerk of the court of appeals, for salary, three thousand dollars.

For clerks in the office of the clerk of the court of appeals, for salaries, six thousand five hundred dollars.

For the messenger to the clerk of the court of appeals, for salary, twelve hundred dollars.

For compensation of clerks of judges of court of appeals, and for expenses incurred pursuant to chapter two hundred and twenty-one of the laws of eighteen hundred and ninety-seven, the sum of eight thousand four hundred dollars, or so much thereof as may be necessary.

For compensation of clerks of justices of the supreme court serving as associate judges of the court of appeals, three thousand six hundred dollars, or so much thereof as may be necessary.

For furniture, books, binding, blanks, printing, calendars, and other necessary expenses of the office of the clerk of the court of appeals, two thousand five hundred dollars, or so much thereof as may be necessary.

For compensation of the crier, messenger and attendants of the court of appeals, thirteen thousand seven hundred dollars, or so much thereof as may be necessary; the salary of the consultation clerk of the court of appeals is hereby fixed at three thousand dollars per annum, and the salary of the messenger of said court at one thousand dollars per annum.

For the clerk of the court of appeals, for postage, and expense of transportation of all letters or official documents, or other matter sent by express or freight, including boxes or covering for same, eight hundred and fifty dollars, or so much thereof as may be necessary.

LIBRARIES.

For the twelve judicial district libraries named in chapter four hundred of the laws of eighteen hundred eighty, chapter four hundred forty-four of the laws of eighteen hundred eighty-eight, and chapter two hundred thirty-one of the laws of eighteen hundred ninety-five, six hundred dollars each, or so much thereof as may be necessary.

For maintaining and improving the state library used by the judges of the court of appeals, twenty-five hundred dollars, or so much thereof as may be necessary.

For the payment of the services of the librarian of the court of appeals library at Syracuse, six hundred dollars, to be paid upon vouchers approved by the presiding justice of the appellate division of the fourth judicial department; and for the payment of the librarian of the law library of the appellate division of the supreme court, fourth judicial department, two thousand dollars, which latter amount is to be refunded pursuant to the provisions of chapter two hundred and fifty-eight of the laws of nineteen hundred.

SUPREME COURT.

For the justices of the supreme court, for salaries and expenses, four hundred and fifty-one thousand two hundred dollars.

For compensation of justices of the supreme court designated to the appellate division of the second department from any district other than the second judicial district, to be refunded to the treasury, pursuant to chapter three hundred and nine, of

the laws of eighteen hundred and ninety-eight, six thousand dollars.

For the compensation of deputy clerk and attendants of the appellate division of the supreme court in the second judicial department, twelve thousand five hundred dollars, to be refunded to the treasurer as provided by chapter ninety-nine of the laws of eighteen hundred and ninety-six, and acts amendatory thereto.

For the necessary expenses of the several justices assigned to the appellate divisions of the supreme court, chapter three hundred and ninety, laws of eighteen hundred and ninety-six, six thousand dollars.

For the justices of the supreme court in the second judicial district, not residing in the county of Kings, for additional compensation, pursuant to chapter seven hundred and sixty-five of the laws of eighteen hundred and sixty-eight, as amended by chapter one hundred and twenty-six of the laws of eighteen hundred and eighty-three, and pursuant to chapter one hundred and thirty-one, of the laws of eighteen hundred and ninety-eight, twenty-four thousand dollars; and for the stenographers appointed under said first-named act, as amended by chapter one hundred and fourteen of the laws of eighteen hundred and ninety-four, for compensation, eight thousand five hundred dollars; said amounts to be paid only from moneys which shall have been or shall be paid into the treasury for taxes levied for the purposes of said acts and in pursuance thereof.

For the stenographers of the supreme court, in the third, fourth, fifth, sixth, seventh and eighth judicial districts, for compensation, pursuant to sections two hundred and fifty-eight and two hundred and fifty-nine of the code of civil procedure, fifty-seven thousand five hundred dollars, to be refunded to the treasury as required by chapter four hundred and twenty-six of the laws of eighteen hundred and ninety.

For additional stenographers in the third and fourth judicial districts, for necessary compensation, expenses and stationery, the sum of ten thousand dollars, to be refunded to the treasury as provided for by chapter two hundred and fifty-eight of the laws of eighteen hundred and ninety-three.

For compensation of confidential clerks to the justices of the supreme court, other than justices of the appellate division, residing in the second judicial district, not including the county of Kings, nine thousand dollars, or so much thereof as may be necessary, to be refunded to the treasury pursuant to chapter eight hundred and ninety-two of the laws of eighteen hundred and ninety-six.

For compensation of confidential clerks to resident trial justices of the supreme court in the fifth judicial district, six thou-

sand dollars, or so much thereof as may be necessary, to be refunded to the treasury pursuant to chapter eight hundred and ninety-three of the laws of eighteen hundred and ninety-six, and chapter one hundred and forty-five of the laws of eighteen hundred and ninety-seven.

For compensation of confidential clerks to resident trial justices of the supreme court in the sixth and seventh judicial districts, to be refunded to the treasury, pursuant to chapter three hundred and twenty-six, of the laws of eighteen hundred and ninety-eight, nine thousand six hundred dollars, or so much thereof as may be necessary.

For compensation of confidential clerks to resident trial justices of the supreme court in the eighth judicial district, to be refunded to the treasury, pursuant to chapter one hundred and six of the laws of eighteen hundred and ninety-nine, eighty-four hundred dollars, or so much thereof as may be necessary.

For compensation of confidential clerks to the justices of the supreme court designated to the appellate division of the second department, eight thousand dollars, or so much thereof as may be necessary, to be refunded to the treasurer pursuant to chapter one hundred and fifty-one of the laws of nineteen hundred.

For expenses of the appellate divisions of the supreme court, for compensation of clerks, criers, attendants, and of stenographers and clerks to the judges, and for their necessary expenses, forty thousand dollars, or so much thereof as may be necessary.

MISCELLANEOUS REPORTER.

For salary of miscellaneous reporter, per chapter five hundred and ninety-eight, laws of eighteen hundred and ninety-two, four thousand five hundred dollars.

For assistants, clerk hire, obtaining copies of opinions and office expenses, two thousand five hundred dollars, or so much thereof as may be necessary.

COURT OF CLAIMS.

For judges of the court of claims, for salaries, fifteen thousand dollars; and for their necessary expenses while in the discharge of their official duties, including all expenses while attending sessions of the court, eight hundred dollars each, payable monthly.

For the clerk of the court of claims, for salary, four thousand dollars.

For the deputy clerk of the court of claims, for salary, two thousand five hundred dollars.

For the stenographer to the court of claims, for salary, two thousand five hundred dollars.

For the marshal of the court of claims, for salary, including his services as messenger, twelve hundred dollars.

For contingent fund, for the use of the court of claims, four thousand dollars, or so much thereof as may be necessary, out of which may be paid extra clerical services not to exceed one thousand dollars.

LEGISLATURE.

For the compensation and mileage of members and officers of the legislature, four hundred and eighty-three thousand dollars, or so much thereof as may be necessary.

For advances by the comptroller to the clerks of the senate and assembly, for contingent expenses, including stationery, printing and other legislative supplies, twenty-five thousand dollars, or so much thereof as may be necessary.

For postage, expenses of committees, compensation of witnesses, legislative manual, clerk's manual, indexing the bills, journals and documents of the senate and assembly, and other contingent expenses of the legislature, thirty thousand dollars, or so much thereof as may be necessary.

OFFICE OF THE SECRETARY OF STATE.

For the secretary of state, for salary, five thousand dollars.

For the deputy secretary of state, for salary, four thousand dollars.

For chief clerk, two thousand six hundred dollars; confidential clerk, two thousand two hundred dollars; corporation examiner two thousand four hundred dollars; land clerk, two thousand two hundred dollars; cashier, one thousand five hundred dollars; certificate clerk, one thousand five hundred dollars; clerk and statistician, two thousand dollars; stenographer, one thousand two hundred dollars; one clerk, one thousand five hundred dollars; two clerks at one thousand three hundred dollars each; one stenographer twelve hundred dollars; six clerks and typewriters at nine hundred dollars each; one junior clerk at six hundred dollars; and one messenger at one thousand dollars.

For furniture, books, binding, blanks, printing and other office expenses of the secretary of state, three thousand dollars, or so much thereof as may be necessary.

For postage and expense of transportation of all letters, official documents, or other matter sent by express or freight, including boxes or covering for same, four thousand dollars, or so much thereof as may be necessary.

OFFICE OF THE COMPTROLLER.

For the comptroller, for salary, six thousand dollars.

For the deputy comptroller, for salary, four thousand five hundred dollars.

For the second deputy comptroller, for salary, four thousand dollars.

For the several clerks in the office of the comptroller for salaries as follows:

For confidential clerk, two thousand seven hundred dollars.

FINANCE BUREAU.

Chief accountant, two thousand three hundred dollars; assistant warrant clerk, two thousand four hundred dollars; entry clerk, one thousand six hundred dollars; voucher clerk, two thousand dollars; bookkeeper, one thousand four hundred and fifty dollars; special accountant, one thousand five hundred dollars; clerk, eleven hundred dollars; document clerk, one thousand six hundred dollars; clerk, one thousand five hundred dollars; stenographer, one thousand dollars.

LAND BUREAU.

Chief tax clerk, two thousand six hundred dollars; tax clerk, two thousand dollars; tax clerk, one thousand eight hundred dollars; tax clerk, one thousand six hundred dollars; seven tax clerks at one thousand five hundred dollars each; bookkeeper, one thousand eight hundred dollars, draughtsman, one thousand three hundred dollars, one stenographer one thousand dollars.

TRANSFER TAX BUREAU.

Chief clerk, two thousand four hundred dollars; two assistant clerks one thousand five hundred dollars each; two recording clerks, one thousand two hundred dollars each; two transfer tax experts, one thousand four hundred dollars each; one stenographer, one thousand four hundred dollars; one stenographer nine hundred dollars; for printing, telegraphing and other expenses of the bureau, three thousand dollars, or so much thereof as may be necessary.

CORPORATION TAX BUREAU.

Chief corporation tax clerk, three thousand two hundred dollars; one assistant corporation tax clerk, one thousand eight hundred dollars; three assistant corporation tax clerks, one

thousand five hundred dollars each; three assistant corporation tax clerks, twelve hundred dollars each; commissioner of New York office, three thousand dollars; clerk and stenographer New York office, one thousand five hundred dollars; commissioner Buffalo office, two thousand four hundred dollars; stenographer Buffalo office, nine hundred dollars; five special corporation tax commissioners, one thousand two hundred dollars each; one stenographer, fourteen hundred dollars.

For rent of offices in New York and Buffalo, printing, telegraphing and other expenses, three thousand dollars, or so much thereof as may be necessary.

BUREAU OF CHARITABLE INSTITUTIONS.

Chief of bureau, two thousand dollars; estimate clerk, one thousand eight hundred dollars; assistant estimate clerk, one thousand eight hundred dollars; voucher clerk, one thousand five hundred dollars; bookkeeper, one thousand five hundred dollars; expert accountant, one thousand six hundred and fifty dollars; index clerk, one thousand fifty dollars; messenger, one thousand dollars; building inspector, eighteen hundred dollars, or so much thereof as may be necessary; confidential inspector, one thousand two hundred dollars, or so much thereof as may be necessary.

For printing, binding, traveling and other expenses of bureau, two thousand five hundred dollars, or so much thereof as may be necessary.

MISCELLANEOUS.

For the comptroller, one thousand dollars; for the deputy comptroller, one thousand dollars; for the second deputy comptroller, seven hundred and fifty dollars, for the expenses and disbursements of each respectively, which several sums shall be allowed to each in lieu of and in full for expenses, payable quarterly.

One messenger, eight hundred dollars; one messenger, seven hundred and twenty dollars; one page, three hundred and sixty dollars; other clerical and messenger service, five hundred dollars; one night watchman, three hundred sixty-five dollars.

For furniture, books, binding, blanks, printing and other expenses of the office of the comptroller, five thousand dollars, or so much thereof as may be necessary.

For examination of the accounts of the several county treasurers of the state, as required by chapter six hundred fifty-one of the laws of eighteen hundred and ninety-two, for services of examiners, five thousand dollars; for traveling expenses of ex-

aminers, twenty-five hundred dollars, and for printing and other expenses, five hundred dollars, or so much thereof as may be necessary.

For postage and expense of transportation of all letters, official documents, or other matter sent by express or freight, including boxes or covering for same, two thousand two hundred dollars, or so much thereof as may be necessary.

For the comptroller, to pay the expenses of serving notice on occupants or despoilers of land now owned by the state, or bid in therefor at the comptroller's tax sale; or protecting the state's title to such lands by discharging them from the taxes due thereon, or bidding them in at, or redeeming them from county treasurers' tax sale; of preparing and recording deeds and certificates protecting the state's title to such lands; of definitely locating, appraising and examining them, as may be required; of protecting them from trespassers or despoilers, and prosecuting all such offenders, and generally of guarding, preserving the value of, and protecting such land, two thousand five hundred dollars, or so much thereof as may be necessary.

BUREAU OF CANAL AFFAIRS.

Payable from canal fund: For the chief clerk, for salary, two thousand eight hundred dollars; one clerk, one thousand seven hundred dollars; one clerk, one thousand five hundred dollars; one stenographer nine hundred dollars. For the payment of incidental and miscellaneous expenses of the bureau of canal affairs, chargeable to the Erie and Champlain canal fund, and the canal debt sinking fund, four thousand nine hundred, ninety-five dollars, to be expended as follows: For messenger service four hundred eighty dollars, or so much thereof as may be necessary; for night watchman, three hundred sixty-five dollars; for the Bank of Manhattan Company New York, for keeping transfer office, and for stationery for same, one thousand four hundred dollars; for salary of transfer agent, seven hundred fifty dollars; for printing, advertising, and other necessary expenses of the bureau, two thousand dollars, or so much thereof as may be necessary.

STATIONERY.

For stationery for the governor, secretary of state, comptroller, treasurer, attorney-general, state engineer and surveyor, superintendent of public instruction, regents of the university, adjutant-general, clerk of the court of appeals, state board of charities, state department of health, civil service commission, superintendent of public buildings and department of labor, eleven thousand dollars, or so much thereof as may be necessary.

OFFICE OF THE TREASURER.

For the treasurer, for salary, five thousand dollars.

For deputy treasurer, for salary, four thousand dollars.

For accountant and transfer clerk, two thousand four hundred dollars; chief clerk, one thousand five hundred dollars; cashier, two thousand three hundred dollars; assistant cashier, one thousand five hundred dollars; check clerk, two thousand two hundred dollars; confidential clerk, one thousand two hundred dollars; corporation clerk, one thousand two hundred dollars; warrant clerk, one thousand two hundred dollars; messenger, one thousand dollars; stenographer, seven hundred dollars.

For postage and expense of transportation of all letters, official documents, or other matter sent by express or freight, including boxes or covering for same, four hundred fifty dollars, or so much thereof as may be necessary.

For furniture, books, binding, blanks, printing and other office expenses of the treasurer, eighteen hundred dollars, or so much thereof as may be necessary

OFFICE OF THE ATTORNEY-GENERAL.

For the attorney-general, for salary, five thousand dollars.

For the first and second deputies in the office of the attorney-general, for salaries, eight thousand dollars.

For a deputy in charge of miscellaneous actions and proceedings, four thousand dollars.

For the deputy in charge of the enforcement of the provisions of the agricultural law, four thousand dollars.

For the managing deputy, three thousand dollars.

For the corporation deputy, three thousand dollars.

For the New York deputy, three thousand dollars.

For the assistant to the first deputy, three thousand dollars.

For the land clerk, two thousand dollars.

For clerk, two thousand dollars.

For the first confidential clerk, fifteen hundred dollars.

For private secretary, fifteen hundred dollars.

For the chief stenographer, eighteen hundred dollars.

For the confidential stenographer, fifteen hundred dollars.

For stenographer, twelve hundred dollars.

For confidential messenger, nine hundred dollars.

For the bureau to enforce the provisions of law enforceable by the board of state tax commissioners:

For a deputy, four thousand dollars.

For assistant deputy, three thousand dollars.

For a stenographer, one thousand two hundred dollars.

For expenses of deputies, one thousand two hundred dollars.

For the expenses of the bureau, two thousand dollars, or so much thereof as may be necessary.

For furniture, books, binding, blanks, printing and other office expenses of the attorney-general, two thousand dollars, or so much thereof as may be necessary.

For postage and expense of transportation of all letters, official documents, or other matter sent by express or freight, including boxes or covering for same, six hundred dollars, or so much thereof as may be necessary.

For counsel and expenses pursuant to section fifty-seven of the executive law, ten thousand dollars, or so much thereof as may be necessary.

For costs of suits, fees of sheriffs, and compensation of witnesses, two thousand dollars, or so much thereof as may be necessary.

For the expenses and disbursements of the attorney-general, which shall be allowed to him in lieu of and in full of expenses, two thousand five hundred dollars, payable quarterly.

For the expenses and disbursements of the first and second deputies of the attorney-general, while in the discharge of their duties, eighteen hundred dollars each, payable quarterly.

The attorney-general is hereby authorized to employ as many deputies, clerks, stenographers and messengers as he may deem necessary, and to fix their salaries, except when fixed by law; but the aggregate salaries for such clerical force, stenographers and messengers, shall not exceed the sum hereinabove appropriated for such service.

OFFICE OF THE STATE ENGINEER AND SURVEYOR.

For the state engineer and surveyor, for salary, five thousand dollars.

For the deputy state engineer and surveyor, for salary, four thousand dollars.

For chief clerk, three thousand dollars; land clerk, two thousand dollars; canal clerk, one thousand five hundred and sixty dollars, or at the rate of five dollars per day; record clerk, acting as confidential clerk, eleven hundred dollars, two stenographers, one thousand dollars each, and one stenographer, seven hundred and twenty dollars.

For postage and expense of transportation of letters, official documents, or other matter sent by express or freight, including boxes or covering for same, twelve hundred dollars, or so much thereof as may be necessary.

For furniture, books, binding, blanks, printing and other office expenses of the state engineer and surveyor, two thousand one hundred dollars, or so much thereof as may be necessary.

PAYABLE FROM THE CANAL FUND.

For traveling expenses of the state engineer and surveyor, two thousand dollars; for the traveling expenses of the deputy state engineer and surveyor, one thousand dollars, payable quarterly to each in full for all such expenses.

For the salaries and compensation of the engineers employed upon the ordinary repairs of canals, including the incidental expenses of such engineers, thirty thousand dollars, or so much thereof as may be necessary.

DEPARTMENT OF PUBLIC INSTRUCTION.

For the superintendent of public instruction, for salary, five thousand dollars. Deputy superintendent, for salary, four thousand five hundred dollars. Second deputy superintendent, for salary, four thousand dollars. For furniture, books, binding, blanks, printing and other office expenses, five thousand dollars, or so much thereof as may be necessary.

For traveling expenses which may be incurred in the visitation of common schools, normal schools, teachers institutes, Indian schools and other institutions under the supervision of this department; and for the proper representation of this state at meetings of educational associations, one thousand five hundred dollars or so much thereof as may be necessary. For postage, and expense of transportation of all letters, official documents, or other matter sent by express or freight, including boxes or covering for same, six thousand dollars, or so much thereof as may be necessary.

For printing circulars and programs relative to the observance of Arbor day for distribution among the school districts of the state, and for the expenses relating to the observance of that day, pursuant to the provisions of chapter five hundred and fifty-six of the laws of eighteen hundred ninety-four, one thousand dollars, or so much thereof as may be necessary.

For clerks and other employees, for salaries, fifteen thousand three hundred dollars, of which amount there shall be paid to the confidential clerk, fifteen hundred dollars; to the chief of the finance bureau, twenty-four hundred dollars; to chief of statistical bureau, twenty-one hundred dollars; to index clerk, twelve hundred dollars; one clerk, fifteen hundred dollars; to mailing clerk, fifteen hundred dollars; stenographer to the superintendent,

twelve hundred dollars; stenographer to the first deputy, twelve hundred dollars; for messengers, porters and page, twenty-seven hundred dollars, and for temporary employes two thousand dollars or so much thereof as may be necessary.

LAW DEPARTMENT.

For counsel to the department, for salary, three thousand five hundred dollars.

For stenographer, one thousand four hundred dollars.

COMPULSORY EDUCATION.

For the purpose of carrying out the provisions of chapter six hundred seventy-one of the laws of eighteen hundred ninety-four as amended by chapter nine hundred eighty-eight of the laws of eighteen hundred ninety-five, relating to compulsory education, fifteen thousand five hundred dollars; of which amount there shall be paid for salary to the chief inspector of the bureau of compulsory education, three thousand dollars; to three inspectors, each the sum of two thousand five hundred dollars; and for traveling expenses, printing and supplies, five thousand dollars, or so much thereof as may be necessary.

PAYABLE FROM THE FREE SCHOOL FUND.

For the support of the common schools of the state, three million, five hundred thousand dollars, to which shall be added the sum of one hundred seventy thousand dollars, which is hereby appropriated, payable from **THE REVENUE FROM THE COMMON SCHOOL FUND** in accordance with the provisions of the revised statutes and chapter five hundred fifty-six of the laws of eighteen hundred ninety-four, and the further sum of seventy-five thousand dollars, which is hereby appropriated, payable from the revenue from **THE UNITED STATES DEPOSIT FUND** in accordance with the provisions of chapter five hundred fifty-six of the laws of eighteen hundred ninety-four and chapter five hundred seventy-three of the laws of eighteen hundred ninety-two, as amended by chapter five hundred forty-six of the laws of eighteen hundred ninety-five; and from which sum of seventy-five thousand dollars there shall be paid to the chief of the bureau of school libraries for salary, twenty-four hundred dollars; for one stenographer, twelve hundred dollars; and one clerk, nine hundred dollars.

For the support and maintenance of the state normal and training schools, the sum of three hundred and twenty thousand dollars, or so much thereof as may be necessary, payable

upon bills to be audited by him, from which amount there shall be paid to the president of the Albany normal college at Albany, for salary, four thousand dollars; and to the principals of the state normal schools at Buffalo, Brockport, New Paltz and Potsdam, each three thousand dollars; and to the principals at Cortland, Fredonia, Geneseo, Jamaica, Oneonta, Oswego and Plattsburg, where residences are not furnished by the state, three thousand three hundred dollars each; and to the inspector of normal schools, Indian schools, and institutions for the instruction of the deaf, dumb and blind, twenty-five hundred dollars.

For the maintenance of teachers institutes, pursuant to chapter five hundred fifty-six of the laws of eighteen hundred ninety-four and for the maintenance of summer institutes in accordance with the provisions of chapter one hundred fifty-six of the laws of eighteen hundred and ninety-six, and for the preparation of question papers fifty thousand dollars, or so much thereof as may be necessary; from which amount there shall be paid to the supervisor of the bureau of institutes for salary, four thousand dollars; to five institute conductors, for salaries, each three thousand dollars; to one special instructor in drawing, twenty-two hundred dollars; to one special instructor in primary work, reading and literature, two thousand dollars; one lecturer two thousand five hundred dollars; and to one special instructor in English twelve hundred dollars.

For the state superintendent of public instruction for the commissioners of common schools, for salaries, one hundred and thirteen thousand dollars; payable, one thousand dollars to each commissioner in the state.

For printing and binding fifteen thousand school registers pursuant to chapter five hundred fifty-six of the laws of eighteen hundred ninety-four, and for printing and binding twenty-five thousand copies of trustees reports, and for packing and boxing the same, five thousand two hundred dollars, or so much thereof as may be necessary.

TRAINING OF TEACHERS.

For the supervisor of the bureau of teachers' training classes, for salary, thirty-five hundred dollars; for four inspectors, for salary, each twenty-five hundred dollars; for one stenographer, nine hundred dollars; and for one clerk, one thousand dollars. For payment to academies and union schools designated by the superintendent of public instruction for the professional training of teachers, pursuant to chapter five hundred fifty-six of the laws of eighteen hundred ninety-four, and for the professional

training of teachers in the cities and villages of the state employing a local superintendent of schools in accordance with the provisions of chapter ten hundred thirty-one of the laws of eighteen hundred ninety-five, and for printing, supplies, traveling expenses and other disbursements connected with the maintenance, supervision and examination of such classes and schools, eighty-four thousand six hundred dollars, twenty-five thousand dollars of which amount shall be paid by the superintendent of public instruction to the cities and villages maintaining teachers' training schools in accordance with the rules established by him. Not more than one hundred thirteen training classes shall be established by the state superintendent in any one year under the provisions of chapter five hundred fifty-six of the laws of eighteen hundred ninety-four. Five hundred dollars shall be paid to each school maintaining a class of not less than ten pupils in accordance with rules and regulations established by the state superintendent, and such balance as shall remain after the payment of the necessary expenses for printing, supplies, traveling expenses and disbursements connected with the maintenance of such schools and training classes shall be apportioned among such training classes ratably on the basis of the number of teachers instructed therein in excess of said number.

VISUAL INSTRUCTION.

For the state superintendent of public instruction for the American museum of natural history in the city of New York, for continuing the instruction of natural history, geography and kindred subjects in the several state normal schools, the normal college of the city of New York, the training schools for teachers in the city of New York, the teachers institutes in the counties of the state, and to the teachers in the common schools of the city of New York and vicinity as per contract entered into between the state superintendent of public instruction and the American museum of natural history of the city of New York as authorized by chapter ninety-seven of the laws of eighteen hundred ninety-seven, and for complying with the provisions of chapter four hundred eighty-nine of the laws of eighteen hundred ninety-nine extending such instruction to the cities and villages of the state that have or may have a local superintendent of schools, the sum of thirty-eight thousand dollars, or so much thereof as may be necessary. All persons of the age of ten years or upwards shall be admitted at public lectures illustrated by colored maps or pictures thrown upon a screen or other background under proper regulations.

EXAMINATION DEPARTMENT.

For the state superintendent of public instruction for defraying the expenses connected with the uniform system of examinations for teachers certificates, state certificates, and state scholarships in Cornell university, and for preparing and printing blanks, circulars, question papers and certificates necessary for such examinations, and for college graduate certificates issued by him in pursuance of chapter five hundred fifty-six of the laws of eighteen hundred ninety-four, and for defraying the expenses of examinations in connection with the uniform graded course of study, twenty-two thousand three hundred dollars, or so much thereof as may be necessary, from which amount there shall be paid to the supervisor of the bureau of examinations, for salary, three thousand dollars; two examiners, each twenty-one hundred dollars; two examiners eighteen hundred dollars each; two at nine hundred dollars each; one stenographer, one thousand dollars; five record clerks, for salary, each nine hundred dollars; and one junior clerk, six hundred dollars.

PAYABLE FROM THE COMMON SCHOOL FUND.

Revenue.

For support of Indian schools, chapter five hundred fifty-six of the laws of eighteen hundred ninety-four, seven thousand dollars, or so much thereof as may be necessary.

UNIVERSITY OF THE STATE OF NEW YORK.

ADMINISTRATIVE DEPARTMENT.

For salary of secretary and director of college and high school departments, five thousand dollars; head clerk, two thousand four hundred dollars; bookkeeper, twelve hundred dollars; head stenographer, twelve hundred dollars; report clerk, nine hundred dollars; charter clerk, nine hundred dollars; printing clerk, nine hundred dollars; indexer, nine hundred dollars; four clerks at six hundred dollars each; two clerks at five hundred forty and four hundred twenty dollars respectively; two clerks at three hundred sixty dollars each; and for fittings, supplies, printing, travel and other expenses of the administrative department pursuant to chapter three hundred seventy-eight of the laws of eighteen hundred ninety-two, three thousand five hundred twenty dollars; also of fees received in this account, involving no expense to the state, under section forty-nine of chapter three hundred seventy-eight of the laws of eighteen hundred and ninety-two, one thousand dollars, or so much thereof as may

be necessary. For postage and expense of transportation of letters, official documents, or other matter sent by express or freight, including boxes or covering for same, twelve thousand, seven hundred and thirty dollars, or so much thereof as may be necessary.

BUILDING.

For salary of janitor, nine hundred dollars; watchman, eight hundred forty dollars; two messengers at six hundred dollars and five hundred forty dollars respectively; clerk, four hundred eighty dollars; and for services of elevator men, porters, laborers and cleaners, for the care and cleaning of the regents office, college and high school departments, state library and other rooms occupied by the university of the state of New York in the basement, on the first, third, fourth, fifth, sixth and seventh floors of the capitol, eight thousand five hundred dollars; for power and for running two elevators and for necessary repairs, fittings and supplies, to be paid on vouchers duly authenticated by the regents as for their other expenses, five thousand five hundred forty dollars; for new shelving and for new card catalogue case, two thousand dollars.

ACADEMIC FUND.

For dividends to be apportioned by the regents for the benefit of schools of academic grade of the university, pursuant to chapter three hundred forty-one of the laws of eighteen hundred and ninety-five, two hundred seven thousand seven hundred thirty dollars; and pursuant to chapter three hundred seventy-eight of the laws of eighteen hundred and ninety-two, the further sum of sixty thousand dollars, to which shall be added the further sum of twelve thousand dollars, which is hereby appropriated, payable from the income of the literature fund, and the further sum of thirty-four thousand dollars, which is hereby appropriated, payable from the income of the United States deposit fund, and from said aggregate sum of three hundred thirteen thousand seven hundred thirty dollars there shall be paid for the salary of the head inspector three thousand seven hundred eighty dollars; for salaries of nine inspectors, two thousand eight hundred eighty dollars, two thousand seven hundred sixty dollars, two thousand seven hundred dollars, two thousand four hundred dollars, two thousand four hundred dollars, two thousand four hundred dollars, two thousand four hundred dollars, one thousand eight hundred sixty dollars, respectively and one at eight hundred seventy-five dollars for seven months' work; for apparatus clerk, one thousand two hundred dollars; and for

grants by the regents for the benefit of schools of the university of academic grade, pursuant to statute, two hundred eighty-eight thousand seventy-five dollars; also of fees received in this account, involving no expense to the state, under section forty-nine of chapter three hundred seventy-eight of the laws of eighteen hundred and ninety-two, two thousand dollars, or so much thereof, as may be necessary.

COLLEGE AND HIGH SCHOOL DEPARTMENTS.

For salary of three assistants, two thousand two hundred eighty, one thousand eight hundred and one thousand five hundred dollars respectively; for record clerk, one thousand two hundred dollars; for credential clerk, one thousand two hundred dollars; for two examiners, one thousand two hundred dollars each; for one compositor, one thousand twenty dollars; for two examiners, nine hundred dollars each; for one clerk nine hundred dollars; for one examiner and one clerk, seven hundred eighty dollars each; for two examiners, seven hundred twenty dollars each; for three clerks, seven hundred twenty dollars each; for two stenographers, seven hundred twenty and six hundred sixty dollars respectively; for one examiner six hundred dollars; for eight clerks, six hundred dollars each; for one page six hundred dollars; for two clerks, five hundred forty dollars each; for three clerks, four hundred eighty dollars each; for five clerks, four hundred twenty dollars each; and for examiners and clerks for temporary services, and for fittings, supplies, printing and other expenses of conducting examinations in accordance with chapter four hundred twenty-five of the laws of eighteen hundred and eighty-seven, and for conducting preliminary examinations for law students as prescribed by rules of the court of appeals in pursuance of section one hundred ninety-three of the code of civil procedure, and for medical students as prescribed by section one hundred forty-five, and for dental students as prescribed by section one hundred sixty-two, and for veterinary medical students as prescribed by section one hundred seventy-eight of chapter six hundred sixty-one of the laws of eighteen hundred and ninety-three, and for the preliminary examination of candidates for certificates as certified public accountants, as prescribed by section two of chapter three hundred twelve of the laws of eighteen hundred ninety-six, eighteen thousand twenty dollars, (of which sum not more than twelve thousand dollars shall be used for examiners and clerks for temporary services) of which amounts twenty-six thousand five hundred dollars shall be payable from the revenue of the United States deposit fund, which is hereby appropriated; also fees of seven thousand dollars, or so much thereof

as may be received in this account, involving no expense to the state, under section forty-nine of chapter three hundred seventy-eight of the laws of eighteen hundred and ninety-two; also payable from fees received, involving no expense to the state, under section forty-nine of chapter three hundred seventy-eight of the laws of eighteen hundred and ninety-two and section one hundred forty-three of chapter six hundred sixty-one of the laws of eighteen hundred and ninety-three, secretary of the state board of medical examiners, one thousand two hundred dollars; medical record clerk, one thousand twenty dollars; six clerks, six hundred dollars each; also for the apportionment to the medical examiners as therein provided, twelve thousand dollars, or so much as shall be available therefor after deduction of necessary expenses and the salaries herein specified; also payable from fees received, involving no expenses to the state, under section forty-nine of chapter three hundred seventy-eight of the laws of eighteen hundred and ninety-two and section one hundred sixty-two of chapter six hundred twenty-six of the laws of eighteen hundred and ninety-five, as amended by chapter two hundred ninety-seven of the laws of eighteen hundred and ninety-six; examiner, nine hundred dollars; clerk, four hundred eighty dollars; also for the expenses of the state dental examiners and the payment of the surplus to the state dental society as therein provided, four thousand dollars, or so much as shall be available therefor, after deduction of necessary expenses and the salaries herein specified; also payable from fees received, involving no expense to the state, under section forty-nine of chapter three hundred seventy-eight of the laws of eighteen hundred and ninety-two, and section one hundred seventy-four of chapter eight hundred sixty of the laws of eighteen hundred and ninety-five, five hundred dollars, or so much thereof as may be available for proper expenses incurred in the administration of the veterinary law and the apportionment of the surplus among the veterinary medical examiners as therein provided; also payable from fees received, involving no expense to the state, under section forty-nine of chapter three hundred seventy-eight of the laws of eighteen hundred and ninety-two and section two of chapter three hundred twelve of the laws of eighteen hundred and ninety-six, five hundred dollars, or so much thereof as may be available for proper expenses of the examinations for certified public accountants.

HOME EDUCATION DEPARTMENT.

For salary of director of state library and home education departments and of state library school, five thousand dollars; for inspector, two thousand four hundred dollars; for vice-

director of library school and librarian for the blind, one thousand eight hundred dollars; for director's assistant, one thousand eight hundred dollars; annotator, one thousand two hundred dollars; sub-inspector, nine hundred dollars; one assistant, one thousand two hundred dollars; one assistant, nine hundred sixty dollars; two assistants, nine hundred dollars each; one assistant, eight hundred forty dollars; stenographer, seven hundred eighty dollars; three assistants, seven hundred twenty dollars each; one clerk, six hundred dollars; one clerk, five hundred forty dollars; six clerks, four hundred eighty dollars each; one clerk, four hundred twenty dollars; four clerks, three hundred sixty dollars each; and for temporary services, and for traveling books and pictures, and for grants of public library money by the regents for the benefit of free libraries, and for necessary expenses in accordance with sections fourteen, forty-seven, forty-eight and fifty of chapter three hundred seventy-eight of the laws of eighteen hundred and ninety-two, thirty-four thousand two hundred dollars (of which sum not more than two thousand one hundred and fifty dollars shall be used for temporary services), of which sum twenty-five thousand dollars shall be payable from the revenue of the United States deposit fund, which is hereby appropriated; also fees of three thousand dollars or so much thereof as may be received in this account, involving no expense to the state, under section forty-nine of chapter three hundred seventy-eight of the laws of eighteen hundred and ninety-two; also payable from fees for tuition in library school, involving no expense to the state, under section forty-nine of chapter three hundred seventy-eight of the laws of eighteen hundred and ninety-two, three clerks at four hundred eighty dollars each, and also for necessary expenses of maintenance, exclusive of salaries, one thousand five hundred dollars or so much thereof as may be received in this account.

STATE LIBRARY.

For salary of senior librarian, two thousand four hundred dollars; law librarian, two thousand one hundred dollars; education librarian, two thousand one hundred dollars; reference librarian, two thousand dollars; director's assistant, one thousand eight hundred dollars; sociology librarian, one thousand eight hundred dollars; archivist (manuscript division), one thousand five hundred dollars; sub-librarian (reference), one thousand two hundred sixty dollars; head cataloguer, one thousand two hundred dollars; head classifier, one thousand two hundred dollars; sub-librarian (accession), one thousand two hundred dollars; one assistant, one thousand two hundred dollars;

two assistants, nine hundred dollars each, two assistants, eight hundred forty dollars each; three assistants and one shelf clerk, seven hundred twenty dollars each; one clerk, six hundred sixty dollars; four clerks, one messenger and one page, six hundred dollars each; one clerk, five hundred forty dollars; one sub-cataloguer and six clerks, four hundred eighty dollars each; seven clerks, three hundred sixty dollars each; and for temporary services and for keeping the library open evenings and holidays throughout the entire year (except in July and August), and for maintaining the duplicate department, and for fittings, supplies, printing, and for other expenses pursuant to chapter three hundred seventy-eight of the laws of eighteen hundred and ninety-two, three thousand two hundred dollars, of which sum not more than two thousand dollars shall be used for temporary services; also fees of one thousand dollars or so much thereof as may be received in this account, involving no expense to the state, under section forty-nine of chapter three hundred seventy-eight of the laws of eighteen hundred and ninety-two.

For books, serials and binding, pursuant to chapter three hundred and seventy-eight of the laws of eighteen hundred and ninety-two, eighteen thousand seven hundred dollars, of which sum not more than thirty-six hundred dollars shall be used in paying for services of binders and other persons necessarily employed in binding books.

For the state medical library, for books, serials and binding and other expenses of maintenance, exclusive of salaries, pursuant to chapter three hundred seventy-seven of the laws of eighteen hundred and ninety-one, two thousand dollars.

For books to be lent free to the blind of the state, one thousand dollars.

STATE MUSEUM.

For salary of director and state geologist, three thousand dollars; assistant in zoology, twelve hundred dollars; assistant in geology, one thousand twenty dollars; museum assistant, nine hundred dollars; stenographer, seven hundred eighty dollars; stenographer, six hundred dollars; clerk, three hundred sixty dollars; and for temporary services and expenses of the state geologist and his assistants in the preservation and increase of the collections of the state museum, four thousand five hundred fifty dollars, of which sum not more than eighteen hundred dollars shall be used for temporary services; also fees of six hundred dollars or so much thereof as may be received in this account, involving no expense to the state, under section forty-nine of chapter three hundred seventy-eight of the laws of eighteen hundred and ninety-two.

For the expenses of the Indian museum, one thousand dollars.

For the salary of the state paleontologist, three thousand dollars; paleontologist's assistant, one thousand five hundred dollars; draftsman, one thousand eight hundred dollars; lithographer, one thousand five hundred dollars; field assistant, nine hundred dollars; one clerk, one thousand twenty dollars; helper, seven hundred twenty dollars; and for temporary services and expenses of the state paleontologist and his assistants, in preserving and increasing the collections in paleontology, two thousand two hundred eighty dollars, of which sum not more than one thousand dollars shall be used for temporary services.

For salary of state botanist, two thousand four hundred dollars; for temporary services and expenses of the state botanist and his assistants, in preserving and increasing the collections in botany, five hundred dollars.

For salary of state entomologist, one thousand eight hundred dollars; for two assistants to state entomologist, seven hundred eighty and seven hundred twenty dollars respectively; and for temporary services and expenses of the state entomologist and his assistants, in preserving and increasing the collections in entomology, one thousand six hundred and forty dollars, of which sum not more than eight hundred dollars shall be used for temporary services.

Each salary specified in this bill under any department of the University of the state of New York shall be the maximum; and the maximum compensation for temporary services authorized thereby shall be fixed by the civil service rules subject to the approval of the comptroller, but discretion is accorded to the regents to pay less amounts both for fixed salaries and for temporary services whenever the interests of the service will permit.

DEPARTMENT OF AGRICULTURE.

For the commissioner of agriculture, for salary four thousand dollars; for assistant commissioners, for salaries, seventeen thousand dollars.

For head bookkeeper, one thousand eight hundred dollars; assistant bookkeeper, one thousand two hundred dollars; bookkeeper, nine hundred dollars; four cheese instructors, twelve hundred dollars each; thirty-six special agents, nine hundred dollars each; five inspectors, nine hundred dollars each; seven inspectors, seven hundred and twenty dollars each; chief chemist, two thousand dollars; for chemist, and other scientific employes, ten thousand dollars, or so much thereof as may be necessary; one stenographer, nine hundred dollars; one stenographer, seven hundred and twenty dollars; one stenographer, six hundred dol-

lars; index clerk, six hundred dollars; veterinarians, three thousand five hundred dollars, or so much thereof as may be necessary.

For traveling and other expenses of the assistant commissioners, and employes other than the assistant commissioner located at Albany, and for all necessary expenses of the department, fifty-two thousand dollars, or so much thereof as may be necessary.

For maintenance of farmers' institutes held under the auspices of the commissioner of agriculture, to be paid upon the order of said commissioner, and certified in sums as needed, and for which vouchers for expenditures duly audited and verified by him shall be rendered, twenty thousand dollars.

No more than ten assistant commissioners shall be employed by the commissioner of agriculture for said department. The assistant residing in the city of Albany shall receive as salary the sum of two thousand five hundred dollars, and the assistant commissioner residing in the city of New York shall receive an annual salary of two thousand five hundred dollars, and such traveling expenses as may be necessary, when away from home on business of said department. The other assistant commissioners shall receive such salaries not exceeding fifteen hundred dollars each, as shall be fixed by the commissioner of agriculture, and all necessary expenses incurred in the performance of their duties.

To the commissioner of agriculture the sum of fifteen hundred dollars in lieu of and in full for all traveling and other expenses of himself and of the assistant commissioner located at Albany, incurred by either of them in the discharge of their official duties, payable in equal monthly installments.

AGRICULTURAL SOCIETIES.

For the promotion of agriculture in this state, sixty-six thousand dollars; of said sixty-six thousand dollars there shall be distributed by the commissioner of agriculture to the American Institute of the city of New York, town, county, and other agricultural societies, fairs, clubs and expositions the amount they are entitled to by virtue of the provisions of section eighty-nine of the agricultural law; the said remainder shall be apportioned among the county agricultural societies, fairs or associations, the American Institute of the city of New York or the societies, fairs or associations entitled thereto in counties where there are no such county agricultural societies, and the various town and other agricultural societies, clubs or exhibitions, to be dis-

tributed in the manner provided by section eighty-eight of the agricultural law.

GENEVA EXPERIMENT STATION.

To the commissioner of agriculture, and to the New York state agricultural experiment station, for enforcing the provisions of law in relation to commercial fertilizers, pursuant to chapter four hundred and thirty-seven of the laws of eighteen hundred and ninety, and chapter nine hundred and fifty-five of the laws of eighteen hundred and ninety-six and chapter six hundred and eighty-seven of the laws of eighteen hundred and ninety-nine, and for the expenses of bulletins as therein provided, the sum of ten thousand dollars, or so much thereof as may be necessary, to be paid from money received by the state treasurer from license fees on fertilizers.

For the expense of enforcing the provisions of the law in relation to concentrated feeding stuffs, as shall be authorized by the board of control, pursuant to chapter five hundred and ten, laws of eighteen hundred and ninety-nine, to be paid from money received by the state treasurer from license fees on concentrated feeding stuffs, two thousand five hundred dollars, or so much thereof as may be necessary.

For the necessary expenditures of the agricultural experiment station at Geneva; for salaries of the scientific staff and clerical force twenty-two thousand dollars; for labor, including engineer, janitors, laboratory helpers, gardeners, herdsman, teamsters, poultrymen, watchmen and other necessary labor, twelve thousand dollars, or so much thereof as may be necessary; for necessary expenses in conducting researches in plant nutrition, diseases of plants, injurious insects, bacteriology, horticulture, dairy practice and poultry keeping, sixteen thousand dollars, or so much thereof as may be necessary.

For horticultural instruction, and for the purpose of conducting horticultural investigations and experiments, and for disseminating the information so obtained, as provided for in and pursuant to section eighty-five of the agricultural law, the sum of eight thousand dollars, or so much thereof as may be necessary.

STATE ARCHITECT.

For the state architect for salary, seven thousand five hundred dollars. For private secretary, fifteen hundred dollars; for chief draughtsman, two thousand five hundred dollars; for an assistant chief draughtsman, sixteen hundred dollars; four draughtsmen, fifteen hundred dollars each, or so much thereof as may be necessary; two draughtsmen, fourteen

hundred dollars each, or so much thereof as may be necessary; one draughtsman, one thousand two hundred dollars, or so much thereof as may be necessary; one draughtsman seven hundred fifty dollars, or so much thereof as may be necessary; one tracer, five hundred forty dollars; one tracer six hundred dollars, or so much thereof as may be necessary; for consulting experts and additional draughtsmen necessary during the busy season, two thousand dollars or so much thereof as may be necessary; one electrical engineer, two thousand five hundred dollars; three expert engineers two thousand dollars each; one sanitary engineer, two thousand dollars, or so much thereof as may be necessary; one heating engineer, two thousand dollars, or so much thereof as may be necessary; chief clerk, one thousand five hundred dollars, or so much thereof as may be necessary; one clerk and stenographer, one thousand two hundred dollars; two stenographers at nine hundred dollars each; one clerk, nine hundred dollars, or so much thereof as may be necessary; one messenger, seven hundred eighty-two dollars, or so much thereof as may be necessary; one office boy, four hundred eighteen dollars, or so much thereof as may be necessary; one office boy, three hundred thirteen dollars, or so much thereof as may be necessary; for transportation and other expenses of supervision, four thousand five hundred dollars, or so much thereof as may be necessary; for office expenses, three thousand five hundred dollars, or so much thereof as may be necessary.

BANKING DEPARTMENT.

For the superintendent of banks, for salary, seven thousand dollars. And the superintendent of banks shall receive the sum of one thousand five hundred dollars annually, payable monthly, in lieu of and in full for all expenses and disbursements incurred by him.

For the deputy superintendent of banks, for salary, four thousand dollars.

For the private secretary to the superintendent of banks, for salary, three thousand dollars.

For one clerk and examiner, for salary, fifteen hundred dollars.

For one clerk or stenographer, for salary, twelve hundred dollars, or so much thereof as may be necessary.

For one stenographer in Albany office, for salary, twelve hundred dollars.

For one stenographer in the branch office in New York city, for salary, one thousand two hundred dollars.

For night watchman, for salary, two hundred and forty dollars.

For rent of branch office in the city of New York, twelve hundred dollars.

For books, binding, blanks, printing and other expenses of the office of the superintendent of banks, seven thousand five hundred dollars, or so much thereof as may be necessary.

The amounts required for the aforesaid salaries, clerk hire and other expenses above mentioned, shall be refunded to the treasury, one thousand dollars by the saving banks for carrying out the provisions of chapter six hundred and eighty-nine of the laws of eighteen hundred and ninety-two, providing for the reports concerning dormant account in savings banks, to be assessed upon and collected from the savings banks making such reports, as provided in said chapter, and the remainder of the amounts hereby appropriated by the several banks, individual bankers, savings banks and trust companies in this state in whose behalf the aforesaid salaries, clerk hire and other expenses above mentioned are incurred, pursuant to chapter six hundred and eighty-nine of the laws of eighteen hundred and ninety-two.

For carrying out the provisions of the banking law, chapter six hundred and eighty-nine of the laws of eighteen hundred and ninety-two, as amended, in reference to the supervision and visitation of mortgage, loan or investment companies, and of co-operative savings and loan associations, and for foreign co-operative savings and loan associations, and other similar associations required by the law to report to said superintendent of banks, the following appropriations:

For clerk in charge of bureau of building and loan associations and foreign corporations, for salary, four thousand dollars.

For one clerk, for salary, twelve hundred dollars.

For one stenographer, for salary, one thousand dollars.

For books, binding, blanks, printing and other expenses of the bureau of building and loan associations and foreign corporations, one thousand three hundred dollars.

Which sum shall be assessed upon and collected from said associations and corporations and refunded to the treasury as provided in said banking law.

For the payment of twenty-one examiners for the examination of corporations and individual bankers, pursuant to the provisions of the banking law, fifty-six thousand dollars, or so much thereof as may be necessary, which shall be assessed and collected from the corporations and individual bankers, according to the amount charged for the examination of each, and refunded to the state treasury.

STATE BOARD OF CHARITIES.

For the secretary of the state board of charities, for salary three thousand five hundred dollars.

The compensation of twelve commissioners as provided by chapter five hundred forty-six of the laws of eighteen hundred and ninety-six, three thousand dollars, or so much thereof as may be necessary.

For superintendent of inspection, two thousand five hundred dollars; chief clerk, one thousand five hundred dollars; clerk, one thousand four hundred dollars; statistician, nine hundred dollars; one stenographer, nine hundred dollars; one stenographer, seven hundred and twenty dollars; clerk, six hundred dollars; junior clerk, four hundred and eighty dollars. For temporary help at the Albany office, five hundred dollars, or so much thereof as may be necessary.

For traveling expenses of the commissioners and secretary while engaged in the discharge of their official duties, three thousand five hundred dollars, or so much thereof as may be necessary.

For traveling expenses of the employes of the department while engaged in their official duties, two thousand five hundred dollars, or so much thereof as may be necessary.

For rent, printing and other expenses of the office five thousand dollars, or so much thereof as may be necessary.

For postage, and expense of transportation of all letters, official documents or other matter sent by express or freight, including boxes or covering for same, twelve hundred dollars, or so much thereof as may be necessary.

STATE AND ALIEN POOR.

For salary of the superintendent, three thousand dollars; for the deputy superintendent in New York city, one thousand five hundred dollars; for inspector, one thousand five hundred dollars; for assistant inspector, one thousand two hundred dollars; for transfer agent, Kings county almshouse, nine hundred dollars; for transfer agent, Monroe county almshouse, one hundred and eighty dollars; for transfer agent, Erie county almshouse, nine hundred dollars; for stenographer, seven hundred and twenty dollars; for messenger, three hundred dollars; for traveling expenses of superintendent and inspectors, three thousand dollars; for incidental office expenses five hundred dollars; for maintenance, transportation and removal of state, nonresident and alien poor, twenty-six thousand three hundred dollars, or so much thereof as may be necessary; and it shall be the duty of the said

board in their annual report to the legislature to give a complete and itemized statement of the expenditures for state paupers during the preceding fiscal year.

NEW YORK OFFICE.

For superintendent, one thousand five hundred dollars; two inspectors, one thousand two hundred dollars each; two inspectors, nine hundred dollars each; stenographer, seven hundred and twenty dollars.

ROCHESTER OFFICE.

For inspector, one thousand two hundred dollars; and stenographer, six hundred dollars.

CIVIL SERVICE COMMISSION.

For the civil service commissioners, for salaries, nine thousand dollars. For the necessary expenses of the several commissioners while in the discharge of their official duties, including all expenses while attending meetings of commission six hundred dollars each payable monthly.

For expenses of examinations, and compensation of temporary local and expert examiners to be appointed by the commission, five thousand dollars, or so much thereof as may be necessary; such examinations shall be held at least once a year in each of the following places: Albany, Amsterdam, Auburn, Binghamton, Buffalo, Elmira, Hornellsville, Ithaca, Jamestown, Kingston, Lockport, Malone, Newburgh, New York, Ogdensburg, Olean, Plattsburg, Poughkeepsie, Rochester, Syracuse, Utica and Watertown; and shall cover all offices in the state civil service for which competitive examinations are required, except such examinations as require special tools, machinery or laboratory facilities.

Notice shall be mailed to the newspapers publishing the session laws in each county of the time and place of such examination, and the positions for which the examination is held at least twenty days before the time in which to file applications for such examination expires for publication at their option without charge and the commission may require application to be made a reasonable time before the date of examination.

For the chief examiner, for salary, three thousand six hundred dollars, and for his necessary traveling expenses, incurred in the discharge of his duty, four hundred dollars, or so much thereof as may be necessary.

For the secretary, three thousand dollars; assistant secretary, one thousand two hundred dollars; pay roll clerk, seven hundred

and twenty dollars; two stenographers, nine hundred dollars each; one stenographer, seven hundred twenty dollars, and one messenger, four hundred and eighty dollars.

For the traveling expenses of the secretary while in the discharge of his official duties, two hundred dollars, or so much thereof as may be necessary.

For books, printing, stationery and other expenses of the office of the civil service commission, two thousand dollars, or so much thereof as may be necessary.

For a senior examiner, one thousand eight hundred dollars; one examiner, nine hundred dollars; and for their necessary traveling expenses while in the discharge of official duties, three hundred dollars, or so much thereof as may be necessary.

For postage, and expense of transportation of all letters, official documents or other matter sent by express or freight, including boxes or covering for same, thirteen hundred dollars, or so much thereof as may be necessary.

STATE DEPARTMENT OF EXCISE.

For salary of state commissioner of excise, five thousand dollars; and for his expenses and disbursements as provided by chapter three hundred and twelve of the laws of eighteen hundred and ninety-seven, one thousand eight hundred dollars; for salary of deputy commissioner, four thousand dollars, and for his expenses and disbursements as provided by chapter three hundred and twelve of the laws of eighteen hundred and ninety-seven, one thousand five hundred dollars; for salary of special deputy commissioner for the boroughs of Manhattan and the Bronx, four thousand dollars; for salary of special deputy commissioner for the borough of Brooklyn, three thousand dollars; for salary of special deputy commissioner for Erie county, three thousand dollars; for salary of special deputy commissioner for the borough of Queens, two thousand five hundred dollars; and for expenses of his office, including office rent and clerical help, one thousand five hundred dollars, or so much thereof as may be necessary; for salary of special deputy commissioner for the borough of Richmond, two thousand dollars; and for expenses of his office, including office rent and clerical help, five hundred dollars, or so much thereof as may be necessary; for the salary of special deputy commissioner for the county of Monroe, two thousand dollars, and for the expenses of his office, including office rent and clerical help, five hundred dollars, or so much thereof as may be necessary; and for expenses of special agent service, including salary of sixty agents, one hundred and twenty-five thousand dollars; for salary of general counsel four

thousand five hundred dollars, and for attorneys for Albany, New York, Brooklyn and Buffalo offices, and compensation, costs, expenses and disbursements of attorneys under section ten of the liquor tax law, forty thousand dollars; for salary of secretary, Albany office, two thousand dollars; for salary of financial clerk, Albany office, one thousand eight hundred dollars; for clerical help at Albany office, one bookkeeper, two thousand dollars; five bookkeepers, one thousand two hundred dollars each; two bookkeepers one thousand and eighty dollars each; one clerk, two thousand two hundred dollars; one clerk, two thousand dollars; one clerk, one thousand five hundred dollars; one clerk, one thousand three hundred dollars; one clerk, nine hundred and sixty dollars; one clerk, nine hundred dollars; one clerk, seven hundred and twenty dollars; two stenographers, one thousand and sixty dollars each; two stenographers, one thousand dollars each; one stenographer, one thousand two hundred dollars; two stenographers, nine hundred and sixty dollars each; one stenographer, nine hundred dollars; one stenographer, seven hundred and eighty dollars; one messenger, nine hundred dollars; one messenger, seven hundred and twenty dollars; one page, five hundred dollars; for clerical help, New York office, one cashier and bookkeeper, three thousand dollars; one assistant cashier and bookkeeper, two thousand two hundred and fifty dollars; one assistant cashier and bookkeeper, one thousand five hundred dollars; one clerk, two thousand dollars; one clerk, one thousand five hundred dollars; seven clerks, one thousand two hundred dollars each; one stenographer, one thousand two hundred dollars; one stenographer and clerk, twelve hundred dollars; for clerical help at Brooklyn office, one cashier and bookkeeper, two thousand two hundred dollars; one assistant cashier and bookkeeper, one thousand six hundred dollars; one clerk, one thousand six hundred dollars; five clerks, one thousand two hundred dollars each; one stenographer, one thousand two hundred dollars; for clerical help at Buffalo office, one cashier and bookkeeper, one thousand seven hundred dollars; one clerk, one thousand five hundred dollars; one clerk, one thousand two hundred dollars; one stenographer, one thousand and eighty dollars; for office expenses, including equipment, stationery, telephoning, telegraphing, express charges, postage, miscellaneous and incidental expenses, Albany and sub offices, six thousand seven hundred dollars; for enumeration and examination of county treasurers' offices, two thousand dollars, for rentals, New York office, five thousand five hundred dollars; Brooklyn office, two thousand four hundred dollars; Buffalo office, one thousand

three hundred dollars; for books, blanks and printing, eight thousand dollars; for paying judgments against the state commissioner of excise and also judgments against any special deputy commissioner of excise or against any county treasurer, where said judgments against said special deputy commissioners or county treasurers were obtained in actions or proceedings brought or defended by the direction of the state commissioner of excise, the sum of two thousand five hundred dollars.

For the state commissioner of excise, two hundred seventy thousand dollars, or so much thereof as may be necessary, to pay refunds on surrender of liquor tax certificates, under the provisions of the liquor tax law, to be paid by the state treasurer from excise moneys in his hands upon the certificate of the comptroller.

FOREST, FISH AND GAME COMMISSION.

For salary of the commissioner five thousand dollars; for the expenses of the commissioner and associate commissioners, three thousand dollars, or so much thereof as may be necessary; for the salary of the fish culturist, three thousand dollars, and for his expenses while in the discharge of his official duty nine hundred dollars, or so much thereof as may be necessary; for the salary of the superintendent of forests, three thousand dollars, and for his necessary expenses while in the discharge of his official duty, nine hundred dollars, or so much thereof as may be necessary; for salary of the assistant secretary, two thousand dollars; for the audit and pay clerk, seventeen hundred dollars, or so much thereof as may be necessary; for special agent and license clerk, fifteen hundred dollars, or so much thereof as may be necessary; stenographer, twelve hundred dollars, or so much thereof as may be necessary. For the salaries of a chief protector two thousand five hundred dollars; clerk to the chief protector, one thousand four hundred dollars; two assistant chief protectors, twelve hundred dollars each; and thirty-two protectors five hundred dollars each, or so much thereof as may be necessary. For the expenses of such chief, assistant chiefs and protectors while in the discharge of their official duties, sixteen thousand nine hundred dollars, or so much thereof as may be necessary. For the salary of superintendent of shell-fish department, two thousand dollars, and for his expenses five hundred dollars, or so much thereof as may be necessary. For the salaries of two oyster protectors, one thousand dollars each; assistant oyster protector, six hundred dollars; cashier and stenographer in the shell-fish department twelve hundred

dollars, or so much thereof as may be necessary; confidential clerk in the shell-fish department, fifteen hundred dollars, or so much thereof as may be necessary, and for the expenses of the oyster protectors and assistant oyster protector while in the discharge of their official duties, fifteen hundred dollars, or so much thereof as may be necessary; chief fire warden, fifteen hundred dollars; for foresters, three thousand dollars, or so much thereof as may be necessary, and for expenses of chief fire warden and foresters, two thousand dollars or so much thereof as may be necessary; for the expense and maintenance of fish hatcheries and hatching stations and for the propagation and distribution of food and game fish and fish fry, other than salaries, forty-three thousand dollars, or so much thereof as may be necessary; for rent, stationery, printing and office expenses of the commission, other than salaries three thousand seven hundred and fifty dollars, or so much thereof as may be necessary.

INSPECTOR OF GAS METERS.

For the inspector of gas meters, for salary and salaries of deputies, as provided for by chapter three hundred and eighty-five of the laws of eighteen hundred and ninety-three, and as provided by chapter three hundred and sixty-four of the laws of eighteen hundred and ninety-eight, eleven thousand dollars. For office and other expenditures, including the providing of seals to be affixed to said meters, as provided by chapter seven hundred and thirty-two of the laws eighteen hundred and ninety-nine, the sum of two thousand dollars, or so much thereof as may be necessary, which several sums hereby appropriated shall be refunded to the treasury by the several gas-light corporations in this state in amounts proportionate to the amount of the capital stock of such corporations respectively, to be ascertained and assessed by the comptroller of the state in accordance with the provisions of chapter three hundred and eighty-five of the laws of eighteen hundred and ninety-three, and acts amendatory thereof and chapter three hundred and sixty-four of the laws of eighteen hundred and ninety-eight.

HEALTH DEPARTMENT.

For the salary of the commissioner of health, thirty-five hundred dollars; and for his expenses, one thousand dollars, or so much thereof as may be necessary.

For the salary of the secretary of the department twenty-five hundred dollars; chief clerk, twenty-four hundred dollars; medi-

cal expert fifteen hundred dollars; registrar of vital statistics fifteen hundred dollars; bacteriological expenses, fourteen hundred dollars; stenographer one thousand dollars; six clerks seven thousand dollars, or so much thereof as may be necessary.

For services and expenses of experts, chemists and stenographers in examinations and investigations, three thousand dollars, or so much thereof as may be necessary.

For furniture, books, blanks, binding, printing, and other office expenses, three thousand five hundred dollars, or so much thereof as may be necessary.

For necessary traveling expenses of subordinates of the department while in the discharge of official duties pursuant to the written direction of the commissioner, eighteen hundred dollars, or so much thereof as may be necessary, to be paid upon the audit of the comptroller and upon the certificate of the commissioner.

For postage, and expense of transportation of all letters, official documents, or other matter sent by express or freight, including boxes or covering for same, thirteen hundred and fifty dollars, or so much thereof as may be necessary.

STATE HISTORIAN.

For the state historian, for salary, four thousand five hundred dollars; for the salary of a clerk, one thousand five hundred dollars; and for stationery and other office expenses, three hundred and fifty dollars, or so much thereof as may be necessary.

INSURANCE DEPARTMENT.

For the salary of the superintendent of insurance, seven thousand dollars. And the superintendent of insurance shall receive the sum of one thousand seven hundred dollars annually payable monthly, in lieu of and in full for all expenses and disbursements incurred by him.

For the salary of the first deputy superintendent of insurance, five thousand dollars. And the first deputy superintendent of insurance shall receive the sum of two thousand three hundred dollars annually, payable monthly, in lieu of and in full for all expenses and disbursements incurred by him.

For the salary of the second deputy superintendent of insurance, four thousand five hundred dollars; for the third deputy superintendent of insurance, four thousand five hundred dollars; for the confidential clerk to the superintendent of insurance, two thousand five hundred dollars; for the stenographer to the superintendent of insurance, one thousand two hundred dollars;

for the stenographer to the first deputy superintendent of insurance, one thousand two hundred dollars; for the chief clerk of the tax department, three thousand five hundred dollars; for the cashier, three thousand five hundred dollars; for the order clerk, two thousand five hundred dollars; for the bookkeeper, two thousand dollars; for the general clerk, two thousand one hundred dollars; for the stenographer, one thousand four hundred dollars; for the typewriter and copyist, one thousand two hundred dollars; for the mailing clerk, one thousand two hundred dollars; for the messenger, one thousand two hundred dollars; for the night watchman, seven hundred twenty dollars; for the actuary, four thousand five hundred dollars; for the first assistant actuary, three thousand two hundred dollars; for the second assistant actuary, two thousand four hundred dollars; for five assistant actuaries, one thousand five hundred dollars each; for five clerks in actuary's department, one thousand five hundred dollars each; for certificate of authority clerk, one thousand five hundred dollars; for stationery clerk and expert proof reader, one thousand two hundred dollars; for statistician, two thousand four hundred dollars; for assistant to statistician, one thousand five hundred dollars; for stenographer at the New York office, one thousand two hundred dollars; for rent of branch office, New York city, one thousand seven hundred dollars; for sundry expenses at New York office of department—telephone, telegraph, and stationery, one thousand dollars, or so much thereof as may be necessary; for printing and binding insurance reports, two thousand five hundred dollars, or so much thereof as may be necessary; for miscellaneous printing and binding, office stationery, postage, expressage, telegrams, telephones, messenger service, office furniture and office expenses, ten thousand dollars, or so much thereof as may be necessary; for incidental expenses, including counsel, traveling expenses of department employes on official business, and extraordinary expenses, five thousand dollars, or so much thereof as may be necessary; for expenses of commutation, compilation and publication of new valuation tables for valuations and other incidental expenses connected therewith, to carry into effect the provisions of section eighty-four of the insurance law, three thousand dollars, or so much thereof as may be necessary.

The following appropriations to be collected from and refunded to the treasury by the corporations under examination, when disbursements therefrom are in consequence of services at or in connection with such examinations.

For chief examiner, for salary, five thousand dollars; for twelve examiners for salaries, thirty thousand dollars, or so much thereof as may be necessary; for services and expenses of department

appraisers in this state; for services and expenses of appraisers and examiners designated in other states; for services and expenses of counsel; for expenses of examiners in connection with examinations of insurance companies, and for extra temporary services when required, twenty-eight thousand dollars, or so much thereof as may be necessary.

DEPARTMENT OF LABOR.

For the salary of commissioner of labor, three thousand five hundred dollars; for mediator of industrial disputes, two thousand five hundred dollars; for first deputy commissioner of labor, two thousand five hundred dollars; for assistant first deputy commissioner of labor, two thousand dollars; for second deputy commissioner of labor, two thousand five hundred dollars; for assistant second deputy commissioner of labor, two thousand dollars; for chief statistician, two thousand five hundred dollars; for statistical clerk, two thousand dollars; for special agents, deputy factory inspectors and other necessary clerical services, sixty-four thousand one hundred and seventy-two dollars; for the superintendent of licenses, two thousand four hundred dollars; for the expenses of the commissioner, one thousand dollars, or so much thereof as may be necessary; for the expenses of the first and second deputies, their assistants, the mediator, the superintendent of licenses, the statistician, the special agents and the deputy factory inspectors, twenty thousand dollars, or so much thereof as may be necessary.

For printing, including the expense of publishing bulletins, five thousand dollars, or so much thereof as may be necessary.

For postage, telephone, telegraph and messenger service, express charges and other expenses, eight thousand four hundred dollars, or so much thereof as may be necessary.

For the expenses of the free employment bureau in New York city, five thousand dollars, or so much thereof as may be necessary.

LAND OFFICE.

For valuations, assessments and other necessary expenses of the public lands and land board five thousand dollars, including the mileage and expenses of the speaker of the assembly for attendance as commissioner of the land office.

LUNACY COMMISSION.

For the state care of the insane, to be expended under the provisions of chapter five hundred and forty-five of the laws of eighteen hundred and ninety-six, chapter nine hundred and forty-

four of the laws of eighteen hundred and ninety-six, chapter four hundred and sixty of the laws of eighteen hundred and ninety-seven, and chapter six hundred and thirty-six of the laws of eighteen hundred and ninety-eight:

For the state commissioners in lunacy, for salaries, traveling and incidental expenses, pursuant to chapter five hundred and forty-five of the laws of eighteen hundred and ninety-six, twenty-one thousand one hundred dollars.

For the salary of the secretary of the commission, four thousand dollars.

For salaries of clerks, messengers, experts and other employes, sixteen thousand dollars.

For other clerical services, two thousand dollars.

For the deportation of alien and non-resident lunatics to other countries and states, and for the transfer of patients from one hospital to another to relieve overcrowding, seven thousand dollars.

For compensation and expenses of special agents, ten thousand dollars.

For printing, stationery, postage and other necessary office expenses, five thousand dollars.

For salaries of officers of state hospitals, the sum of two hundred and sixty-five thousand dollars.

For wages of all other employes of state hospitals, the sum of eleven hundred and sixty thousand dollars.

For the support and maintenance of the state hospitals other than salaries and wages of officers and employes, the sum of two million dollars.

For the maintenance of a pathological institute under the direction of the state commission in lunacy, fifteen thousand dollars, and the commission shall provide accommodations in the city of New York for a hospital to receive a limited number of alleged insane and insane persons where skilled observation is necessary in making required pathological and psychopathic research and examination. Admission to the hospital hereby created shall be regulated by the commission, who shall appoint a superintendent having the qualifications of superintendents of state hospitals provided for in sections thirty-four and thirty-five of this act. He shall perform such duties for the care and treatment of admitted patients, and shall have such privileges, as may be prescribed by the commission. A laboratory shall be established as a part of said hospital, the director of which shall perform such duties relating to pathological research for all of the state hospitals for the insane, and with such privileges in the hospital hereby established, as may be prescribed by the commission. The director shall receive an

annual salary to be fixed by the commission subject to the approval of the governor.

All moneys hereby appropriated not necessarily expended during the fiscal year for the purposes specified, shall be available for buildings, repairs and improvements.

NATIONAL GUARD.

For the salary of the adjutant-general, four thousand dollars; for the salary of the assistant adjutant-general, military storekeeper and clerical force, as provided in section one hundred and sixty-one of the military code, twenty-three thousand dollars; for salaries of officers on the staff of the major-general commanding the National Guard, and for clerical services, as provided by section one hundred and sixty of the military code, fifteen thousand dollars; for allowances to headquarters of the National Guard, brigades, regiments, battalions and squadron, as provided in section one hundred and fifty-nine of the military code, thirty-four thousand eight hundred dollars; for allowances to officers to assist in uniforming and equipping themselves and organizations for the purpose of defraying necessary military expenses, as provided in sections one hundred and fifty-six and one hundred and fifty-seven of the military code, one hundred and thirty-one thousand dollars.

For postage and expense of transportation of all letters, official documents or other matter sent by express or freight, including boxes or covering for same, one thousand dollars, or so much thereof as may be necessary.

For the other general expenses of the National Guard of the state, and the office of the adjutant-general, to be expended in accordance with the military code, the sum of two hundred and forty-two thousand two hundred dollars.

MILITARY RECORD FUND.

Revenue.

For the adjutant-general for the expenses of the bureau of military records, payable from the revenue of the military record fund, two thousand dollars, or so much thereof as may be necessary.

NAVAL MILITIA.

For allowances to headquarters of the naval militia and battalions, as provided in section one hundred fifty-nine of the military code, two thousand four hundred dollars; for allowances to officers of the naval militia to assist in uniforming and equipping

themselves, and organizations of the naval militia, for the purpose of defraying necessary military expenses as provided in sections one hundred fifty-six and one hundred fifty-seven of the military code, six thousand dollars; for other general expenses of the naval militia and the office of the adjutant-general, to be expended in accordance with the military code, sixteen thousand six hundred dollars.

PRISON'S COMMISSION.

For the salary of the president of the prison's commission two thousand five hundred dollars.

For the salaries of the secretary of the commission and other necessary clerical services four thousand dollars.

For the necessary traveling expenses of the commission and for office expenses fifteen hundred dollars or so much thereof as may be necessary.

PRISONS.

For the support and maintenance of the several state prisons, and the Eastern reformatory pursuant to chapter three hundred and eighty-two of the laws of eighteen hundred and eighty-nine, and for the ordinary repairs thereof and supplying water therefor, three hundred thousand dollars, or so much thereof as may be necessary.

For the superintendent of state prisons, for salary, six thousand dollars.

For the necessary traveling expenses of the superintendent and his clerk while engaged in the performance of their official duties, one thousand five hundred dollars or so much thereof as may be necessary.

For superintendent's clerk, four thousand dollars; industry clerk, two thousand five hundred dollars; two stenographers, one thousand dollars each; messenger, one thousand dollars; for other office expenses one thousand four hundred and twenty dollars, or so much thereof as may be necessary.

For compensation of sheriff, for the transportation of convicts to prisons, asylum for insane criminals, penitentiaries, houses of refuge and reformatories fifteen thousand dollars, or so much thereof as may be necessary.

For the maintenance of convicts sentenced to penitentiaries, in pursuance of chapter one hundred and fifty-eight of the laws of eighteen hundred and fifty-six, chapter five hundred and eighty-four of the laws of eighteen hundred and sixty-five, chapter six hundred and sixty-seven of the laws of eighteen hundred and sixty-six, chapter five hundred and seventy-four of the laws of

eighteen hundred and sixty-nine, chapter two hundred and forty-seven of the laws of eighteen hundred and seventy-four, chapter five hundred and seventy-one of the laws of eighteen hundred and seventy-five, chapter four hundred and ninety of the laws of eighteen hundred and eighty-five, chapter one hundred and fifteen of the laws of eighteen hundred and ninety-one and chapter five hundred and eighty-seven, laws of eighteen hundred and ninety-two, one hundred thousand dollars, or so much thereof as may be necessary.

For the support and maintenance of the state prison for women at Auburn, pursuant to chapter three hundred and six of the laws of eighteen hundred and ninety-three, for ordinary repairs, supplying water therefor and for the transportation of women prisoners, twenty-five thousand dollars, or so much thereof as may be necessary.

DANNEMORA HOSPITAL FOR INSANE CONVICTS.

For the support and maintenance of the Dannemora hospital for insane convicts, forty-five thousand dollars.

For the salaries of the medical superintendent, thirty-six hundred dollars; assistant physician, twelve hundred dollars; and the assistant steward, nine hundred dollars.

MATTEAWAN STATE HOSPITAL FOR INSANE CRIMINALS.

For the support and maintenance of Matteawan state hospital for insane criminals, sixty thousand dollars, or so much thereof as may be necessary.

For the salary of the medical superintendent, four thousand five hundred dollars; for the first assistant, two thousand three hundred dollars; for the second assistant, one thousand five hundred dollars; for the assistant physician, one thousand three hundred dollars, and for the steward, one thousand seven hundred dollars.

PRINTING.

For the legislative printing of the state, including binding, and mapping, but excluding lithographing and engraving, which said lithographing and engraving shall be paid for from the appropriations herein made for the department ordering the same, or to which the same relates, two hundred thousand dollars, or so much thereof as may be necessary, and the comptroller is authorized to pay from said amount for the services of an expert printer to examine all the accounts for printing a sum not to exceed two thousand four hundred dollars per annum.

SESSION LAWS AND OFFICIAL CANVASS.

For the publication of the session laws and the official canvass and official notices provided by law, which are subjects of contract, twenty-five thousand dollars, or so much thereof as may be necessary.

PUBLICATION OF GENERAL LAWS.

For the payment of newspapers in the various counties in this state for the publication of the general laws of the state pursuant to chapter seven hundred and fifteen of the laws of eighteen hundred and ninety-two, one hundred thousand dollars, or so much thereof as may be necessary.

QUARANTINE COMMISSIONERS.

For the commissioners of quarantine, for salaries, seven thousand five hundred dollars.

For the salary of the secretary, eighteen hundred dollars; for the salary of the superintendent, twelve hundred dollars; for the salary of the captain of the tug, twelve hundred dollars; engineer, nine hundred and sixty dollars, a fireman and two deck hands, four hundred and eighty dollars each, a steward six hundred dollars.

For the superintendent of Swinburn island, twenty five hundred dollars; engineer, eleven hundred and fifty dollars; carpenter, nine hundred dollars; two laborers, seven hundred and twenty dollars each; cook, two hundred and forty dollars; laundress, three hundred dollars.

For the superintendent of Hoffman island, fifteen hundred dollars; engineer, ten hundred and fifty dollars; master mechanic, twelve hundred and eighty dollars; two laborers, seven hundred and twenty dollars each.

For general repairs and expense of maintenance, six thousand dollars, or so much thereof as may be necessary.

RAILROAD COMMISSIONERS.

For the board of railroad commissioners, for salaries, and expenses, as provided in section one hundred and seventy, article six, chapter five hundred and sixty-five of the laws of eighteen hundred and ninety, as amended by chapter five hundred and thirty-four of the laws of eighteen hundred and ninety-two, and chapter four hundred and fifty-six, of the laws of eighteen hundred and ninety-six, fifty-five thousand dollars, to be expended as follows: For salaries of three commissioners, eight thousand dollars each; for secretary, six thousand dollars; assistant secretary,

three thousand six hundred dollars; steam railroad inspector, three thousand dollars; accountant, two thousand five hundred dollars; examiner, two thousand five hundred dollars; four clerks at one thousand five hundred dollars each; two stenographers, at one thousand two hundred dollars each; and for the traveling expenses of the commissioners, inspectors, accountants, and the necessary office expenses of the commission, five thousand dollars, or so much thereof as may be necessary.

For printing and binding the additional reports of the board of railroad commissioners, as provided in section one hundred and sixty-six, article six, chapter five hundred and sixty-five of the laws of eighteen hundred and ninety, twenty-five hundred dollars or so much thereof as may be necessary.

For the board of railroad commissioners, for an electrical expert and his necessary traveling expenses and for the purchase of law and statistical books the sum of four thousand two hundred and fifty dollars, or so much thereof as may be necessary.

The amounts stated in the last four items shall be refunded to the treasury by the several corporations owning or operating railroads in this state, in such manner and proportion as is prescribed by law.

The sum of one hundred thousand dollars to carry into effect the provisions of chapter seven hundred and fifty-four of the laws of eighteen hundred and ninety-seven, entitled "An act to amend the railroad law and the acts amendatory thereof relative to grade crossings;" of which sum the board of railroad commissioners is hereby authorized and empowered to expend an amount not exceeding seven thousand five hundred dollars in the employment of expert and clerical service necessary to supervise the work performed under the said chapter seven hundred and fifty-four of the laws of eighteen hundred and ninety-seven, and to prepare plans, maps and specifications therefor, and for other necessary expenses; said seven thousand five hundred dollars to be paid by the treasurer upon the warrant of the comptroller, as directed by the said board of railroad commissioners, from the money hereby appropriated.

STATE SUPERINTENDENT OF ELECTIONS.

For the state superintendent of elections for the metropolitan elections district: For salary of state superintendent, five thousand dollars. For salary of chief deputy, four thousand five hundred dollars. For salary of the clerk, eighteen hundred dollars. For salary of the stenographer, fifteen hundred dollars. For deputy state superintendents of elections, one hundred and ten thousand dollars, or so much thereof as may be necessary. For

the state superintendent of elections for office expenses, and expenses incurred in carrying out the provisions of the laws relating to the metropolitan elections district, the sum of ten thousand dollars, or so much thereof as may be necessary.

SUPERINTENDENT OF PUBLIC WORKS.

PAYABLE FROM THE CANAL FUND.

For the salaries of the superintendent of public works, six thousand dollars; deputy superintendent, four thousand dollars; three assistant superintendents, three thousand dollars each; financial clerk, three thousand five hundred dollars; assistant financial clerk, two thousand five hundred dollars; chief clerk three thousand dollars; filing clerk, one thousand two hundred dollars; stenographer, thirteen hundred dollars; stenographer to general inspector nine hundred dollars; stenographer, eight hundred dollars; special agent, one thousand two hundred dollars; messenger, one thousand dollars; clerk eastern division, one thousand six hundred dollars, and stenographer, seven hundred dollars; clerk middle division, one thousand five hundred dollars, assistant clerk, nine hundred dollars, stenographer, six hundred dollars; janitress, three hundred dollars; clerk western division, one thousand five hundred dollars, assistant clerk, twelve hundred dollars; assistant clerk nine hundred dollars; janitress, one hundred and forty-four dollars; for the traveling expenses of the assistant superintendents of public works, one thousand three hundred dollars; and for additional clerk hire, office and contingent expenses of the superintendent and assistant superintendents of public works, six thousand four hundred dollars, or so much thereof as may be necessary.

For the traveling expenses of the superintendent of public works, two thousand five hundred dollars, and for the traveling expenses of the deputy superintendent of public works, one thousand dollars, payable monthly in full for all such expenses.

For the salaries of sixteen section superintendents, one thousand five hundred dollars each; two section superintendents, one thousand two hundred dollars each, and one section superintendent, two thousand dollars.

For the salary of the statistician in the office of the superintendent of public works, one thousand eight hundred dollars; for the salaries of the collectors and compilers of statistics relating to the trade and tonnage of the canals during the season of navigation, eight thousand dollars, comprising two collectors at one hundred and twenty-five dollars each per month, five collectors at one hundred dollars per month, two collectors at eighty dollars per month, and two collectors at seventy dollars per month; for

the collectors, clerks and inspectors and measurers of boats, eight thousand dollars, comprising three clerks at eighty dollars per month, ten clerks at seventy dollars per month, two clerks at sixty dollars per month, and for additional clerk hire and contingent expenses of such collectors and inspectors, four thousand six hundred dollars, or so much thereof as may be necessary.

For the payment of the expenses of lock tending and the ordinary repairs of the canals of the state, eight hundred and twenty thousand dollars, or so much thereof as may be necessary.

For the compensation of gate tenders for the state dams upon the Beaver and Moose rivers, as provided by chapter one hundred and sixty-eight of the laws of eighteen hundred and ninety-four, the sum of one thousand one hundred dollars, or so much thereof as may be necessary, to be paid by the comptroller on the certificate of the commissioners appointed under said act, or a majority thereof, and with the approval of the superintendent of public works.

For the compensation of the tender and for the maintenance and operation of the draw-bridge over Minneceingo creek, Rockland county, the sum of seven hundred dollars, or so much thereof as may be necessary, on the certificate of the superintendent of public works.

SUPERINTENDENT OF PUBLIC BUILDINGS.

For the salary of the superintendent of public buildings, five thousand dollars.

For the salary of the deputy superintendent, two thousand five hundred dollars.

For the salary of the chief engineer, two thousand dollars.

For the salary of the confidential clerk and stenographer, two thousand dollars.

For the salary of the clerk and bookkeeper, one thousand two hundred dollars.

For the salary of the paymaster, two thousand dollars.

For the salary of the chief orderly, one thousand five hundred dollars.

For the salary of the storekeeper, one thousand two hundred dollars.

For the salary of the janitor of the state hall, one thousand two hundred dollars.

For the salary of the janitor of the geological hall, one thousand two hundred dollars.

For the services of orderlies, watchmen, engineers, firemen,

carpenters, machinist, electricians, cleaners, laborers and other necessary employes in the care and maintenance, the sum of one hundred and ten thousand dollars, or so much thereof as may be necessary.

For lighting and necessary fixtures and appliances therefor, fifty thousand dollars or so much thereof as may be necessary.

For furniture, repairs, coal, fuel and other expenses forty thousand dollars or so much thereof as may be necessary.

For postage, and expense of transportation of all letters, official documents or other matter sent by express or freight, including boxes or covering for same, one hundred fifty dollars, or so much thereof as may be necessary.

STEAM VESSEL INSPECTION.

For the inspectors of steam vessels, for salaries, six thousand dollars; for their actual and necessary traveling expenses while in the discharge of their official duties, and for the supplies necessary for the performance of said duties, one thousand dollars, or so much thereof as may be necessary, pursuant to chapter five hundred and ninety-two of the laws of eighteen hundred and ninety-seven.

TAX COMMISSIONERS.

For the salaries of the tax commissioners the sum of three thousand dollars in addition to the further sum of twelve thousand dollars heretofore appropriated by chapter ninety-six of the laws of nineteen hundred for the expenses of the state board of tax commissioners, which sum of twelve thousand dollars is hereby reappropriated to apply upon the payment of salaries; for the salary of the secretary three thousand five hundred dollars; for the salary of the confidential appraiser three thousand six hundred dollars; for the salary of the chief clerk two thousand dollars; for other necessary clerical help two thousand four hundred dollars, or so much thereof as may be necessary; for other necessary stenographic work the sum of twenty-four hundred dollars or so much thereof as may be necessary; for salary of messenger three hundred dollars.

Each of the said commissioners shall receive a further sum of two thousand five hundred dollars, payable monthly, in full and in lieu of all expenses and disbursements incurred by them in discharge of their duties.

For printing, stationery, and other office expenses the sum of six thousand dollars, or so much thereof as may be necessary.

For the salary of four special agents seven thousand two hundred dollars and the further sum of five thousand dollars, or so

much thereof as may be necessary, for the expenses and disbursements incurred by them in the discharge of their duties, to be paid upon the audit of the comptroller.

For the services and expenses of experts for appraisement and valuation the sum of five thousand dollars, or so much thereof as may be necessary, to be paid upon the certificate of the board of tax commissioners and the audit of the comptroller.

PUBLIC INSTITUTIONS.

CRAIG COLONY FOR EPILEPTICS.

For salaries of officers and employes of the Craig colony for epileptics, for the maintenance of the institution, one hundred and twenty-five thousand dollars, or so much thereof as may be necessary.

HOUSE OF REFUGE FOR WOMEN.

For the compensation of officers and employes of the House of refuge for women, at Hudson, for the maintenance of the institution and for the transportation of the convicts, sixty-six thousand dollars, or so much thereof as may be necessary.

WESTERN HOUSE OF REFUGE FOR WOMEN.

For the compensation of officers and employes of the Western house of refuge for women, at Albion, for the maintenance of the institution and for the transportation of convicts, thirty-five thousand dollars, or so much thereof as may be necessary.

NEW YORK STATE REFORMATORY FOR WOMEN.

For the New York state reformatory for women at Bedford for the maintenance of the institution and for the transportation of the convicts, thirty thousand dollars, or so much thereof as may be necessary.

JUVENILE DELINQUENTS.

For the Society for the reformation of juvenile delinquents in the city of New York, for maintenance and rewards to inmates and repairs and betterments of tools and equipment and furniture, and for necessary tools to properly conduct the trade schools and common schools and military system and photographing of inmates, one hundred and fifty thousand dollars, or so much thereof as may be necessary.

STATE INDUSTRIAL SCHOOL.

For the State Industrial school at Rochester, for maintenance and rewards to inmates and repairs and betterments of tools and

equipment and furniture, and for necessary tools to properly conduct the trade schools and common schools and military system and photographing of inmates, one hundred and seventy-five thousand dollars, or so much thereof as may be necessary.

SYRACUSE STATE INSTITUTION FOR FEEBLE-MINDED CHILDREN.

For the Syracuse state institution for feeble-minded children, for maintenance, eighty thousand dollars, or so much thereof as may be necessary.

CUSTODIAL ASYLUM.

For the support and maintenance of the inmates of the Newark Custodial asylum, for the service of the attendants therein, and for other necessary expenses, fifty-five thousand dollars, or so much thereof as may be necessary.

ROME STATE CUSTODIAL ASYLUM.

For the support and maintenance of the inmates of the Rome State custodial asylum, for the services of attendants therein and for other necessary expenses, seventy-five thousand dollars, or so much thereof as may be necessary.

THOMAS ASYLUM.

For the Thomas asylum for orphan and destitute Indian children, for maintenance and for salaries of officers and teachers, twenty-four thousand dollars, or so much thereof as may be necessary.

STATE REFORMATORY.

For the New York state reformatory, at Elmira, for maintenance and ordinary repairs, and for the purchase of material, and for expenses of manufacturing, pursuant to chapter seven hundred and eleven of the laws of eighteen hundred and eighty-seven, two hundred and fifteen thousand dollars, or so much thereof as may be necessary.

SOLDIERS AND SAILORS' HOME.

For the support and maintenance of the New York state soldiers and sailors' home, and for the transportation of applicants for admission, two hundred and twenty-five thousand dollars, or so much thereof as may be necessary.

WOMEN'S RELIEF CORPS HOME.

For the Women's relief corps home, for maintenance, twenty thousand dollars, or so much thereof as may be necessary.

HOSPITAL FOR CRIPPLED CHILDREN.

For the support and maintenance of the New York state hospital for the care of crippled and deformed children the sum of ten thousand dollars, or so much thereof as may be necessary.

EDUCATIONAL INSTITUTIONS.**NEW YORK INSTITUTION FOR THE BLIND.**

For the support and instruction of one hundred and eighty pupils at the New York institution for the blind, in addition to the sum of eighteen thousand four hundred eighty-one dollars and forty-six cents, remaining unexpended of appropriations heretofore made therefor, which is hereby reappropriated for the current and the next fiscal years, the further sum of thirty-one thousand nine hundred eighteen dollars and fifty-four cents, or a proportionate amount for a shorter period of time than one year, or for a smaller number of pupils, as shall be duly verified by the affidavits of the president and secretary of the institution.

STATE SCHOOL, BATAVIA.

For the maintenance and instruction of the inmates of the State school for the blind, at Batavia, thirty-eight thousand dollars, or so much thereof as may be necessary.

DEAF AND DUMB.

For the support and instruction of two hundred and fifty pupils at the institute for deaf and dumb in New York city, in addition to the sum of eighteen thousand two hundred and thirty-one dollars and eighty-seven cents, remaining unexpended of appropriations heretofore made therefor, which is hereby reappropriated for the current and the next fiscal years, the further sum of fifty-one thousand seven hundred and sixty-eight dollars and thirteen cents.

For the support and instruction of one hundred and twenty pupils at the institution for the improved instruction of deaf-mutes in New York city, in addition to the sum of eight thousand four hundred and sixty-five dollars and fifty cents, remaining unexpended of appropriations heretofore made therefor, which is hereby reappropriated for the current and the next fiscal years, the further sum of twenty-five thousand one hundred thirty-four dollars and fifty cents.

For the support and instruction of one hundred ten pupils at the Le Couteulx Saint Mary's institution for the improved instruction of deaf-mutes, at Buffalo, in addition to the sum of two

thousand eight hundred and thirty-eight dollars and fifty-four cents remaining unexpended of appropriations heretofore made therefor, which is hereby reappropriated for the current and next fiscal years, the sum of twenty-seven thousand nine hundred and sixty-one dollars and forty-six cents.

For the support and instruction of one hundred and fifteen pupils at the Central New York institution for the improved instruction of deaf-mutes, at Rome, in addition to the sum of fifteen thousand eight hundred and eight dollars and fifty-nine cents, remaining unexpended of appropriations heretofore made therefor, which is hereby reappropriated for the current and the next fiscal years, the further sum of sixteen thousand three hundred ninety-one dollars and forty-one cents.

For the support and instruction of sixty-five pupils at the Northern New York institution for deaf-mutes, at Malone, in addition to the sum of four thousand one hundred sixty dollars and thirty-five cents, remaining unexpended of appropriations heretofore made therefor, which is hereby reappropriated for the current and the next fiscal years, the further sum of fourteen thousand and thirty-nine dollars and sixty-five cents.

For the support and instruction of two hundred and eighteen pupils at Saint Joseph's institution for the improved instruction of deaf-mutes, at Fordham, sixty-one thousand and forty dollars.

For the support and instruction of twenty pupils at the Albany home school for the deaf, in addition to the sum of four hundred ninety-six dollars and eighty-four cents, remaining unexpended of appropriations heretofore made therefor, which is hereby reappropriated for the current and the next fiscal years, the further sum of five thousand one hundred and three dollars and sixteen cents.

For the support and instruction of one hundred pupils at the Western New York institution, at Rochester, for the improved instruction of deaf-mutes, twenty-eight thousand dollars.

The amount hereby appropriated for the several institutions for the support and instruction of deaf-mutes is at the rate of two hundred and eighty dollars per capita per annum and a proportionate amount for a shorter period of time than one year, or for a smaller number of pupils in each case, shall be allowed in each of the last eight items, and paid by the comptroller, upon certificate verified by oath of the president and secretary of such institution, and upon the approval of the superintendent of public instruction.

ALFRED UNIVERSITY.

For the maintenance of the state school of clay workings and ceramics at Alfred university as provided by chapter three hun-

dred and eighty-three of the laws of nineteen hundred, five thousand dollars, or so much thereof as may be necessary.

CORNELL UNIVERSITY.

For payment to Cornell university, being the interest at five per centum on the proceeds of the college land scrip fund pursuant to chapter seventy-eight of the laws of eighteen hundred and ninety-five, thirty-four thousand four hundred and twenty-eight dollars and eighty cents.

For the state veterinary college at Cornell university for maintenance, equipment and necessary material to conduct the same, fifteen thousand dollars, and the further sum of ten thousand dollars appropriated by chapter four hundred nineteen of the laws of nineteen hundred, for the state veterinary college, which sum is hereby reappropriated, payable to the treasurer of Cornell university on the warrant of the comptroller.

For the state college of forestry, to be expended under the direction of the board of trustees of Cornell university, as provided by chapter one hundred twenty-two of the laws of eighteen hundred and ninety-eight, ten thousand dollars.

For Cornell university, for the promotion of agricultural knowledge throughout the state, as provided by chapter four hundred thirty of the laws of eighteen hundred and ninety-nine, thirty-five thousand dollars. Three thousand dollars thereof to be used in the promotion of knowledge relating to poultry and egg production.

MISCELLANEOUS.

COUNTY TREASURERS.

For advances to county treasurers on account of taxes on property of non-residents, and for taxes on state, wild or forest lands which may be returned to the comptroller's office, and for adjusting accounts of state taxes with counties, fifty-five thousand dollars, or so much thereof as may be necessary.

NIAGARA RESERVATION.

For the commissioners of the state reservation at Niagara, for salaries of employes and for actual and necessary expenses while engaged in the discharge of official duties, twenty-five thousand dollars, or so much thereof as may be necessary.

REDEMPTION OF LANDS.

The sum of nine thousand five hundred and fifty dollars and eight cents, being the unexpended balance of an appropriation

made for such purpose by chapter five hundred and seventy, laws of eighteen hundred and ninety-nine, is hereby reappropriated for payment of money to purchases upon redemption of lands sold for taxes.

REFUND OF TAXES.

The sum of eight hundred and sixty dollars and twenty-five cents, appropriated by chapter five hundred and seventy, laws of eighteen hundred and ninety-nine, for repayment of money erroneously paid into the treasury for taxes is hereby reappropriated for the same purpose.

INDIAN AFFAIRS.

For the payment of the annuities to the several Indian tribes, as follows:

To the Onondagas, two thousand four hundred and thirty dollars.

To the Cayugas, two thousand three hundred dollars.

To the Senecas, five hundred dollars.

To the Saint Regis, two thousand one hundred and thirty-one dollars and sixty-seven cents.

For the relief of the Onondaga Indians, three hundred dollars.

For compensation of the agent of the Onondaga Indians, two hundred dollars.

For compensation of the agent of the Onondaga Indians, pursuant to chapter one hundred and seventy-eight of the laws of eighteen hundred and forty-seven and chapter six hundred and thirty-five of the laws of eighteen hundred and sixty-nine, sixty-five dollars.

For compensation of the agent of the Onondaga Indians, residing on the Allegany and Cattaraugus reservation, one hundred and fifty dollars.

For compensation of the attorney of the Saint Regis Indians, one hundred and fifty dollars.

For compensation of the attorney of the Seneca Indians, one hundred and fifty dollars.

For compensation of the attorney of the Tonawanda band of Seneca Indians, one hundred and fifty dollars.

VARIOUS.

For supplying other states with reports of the court of appeals and the supreme court pursuant to section twenty-seven of the executive law as amended by chapter two hundred and forty-eight of the laws of eighteen hundred and ninety-three,

one thousand five hundred dollars, or so much thereof as may be necessary.

For the trustees of Washington's headquarters, at Newburgh, for compensation of the superintendent, and for the care, maintenance, repairs and improvements of the grounds, one thousand dollars, or so much thereof as may be necessary.

For the trustees of public buildings, for the salary of the keeper of the senate-house property, at Kingston, pursuant to chapter two hundred and twenty-seven of the laws of eighteen hundred and ninety-three, six hundred dollars.

For the expenses of the board of port wardens of the port of New York, pursuant to chapter one hundred and forty-two of the laws of eighteen hundred and ninety-one forty-five hundred dollars, or so much thereof as may be necessary.

For salary of janitor of the Saratoga monument, five hundred dollars as provided by chapter nine hundred and fifty-five, laws of eighteen hundred and ninety-five.

For care and maintenance of Grant cottage, as provided by chapter six hundred and sixty-seven, laws of eighteen hundred and ninety-six, one thousand dollars, or so much thereof as may be necessary.

§ 2. The several amounts herein appropriated shall be paid by the treasurer from the respective sums as specified, and the salaries as herein determined shall be and hereby are established and fixed by this act except as hereinafter provided for the several officers for whom they are designated and shall be paid by the treasurer pursuant to the requirements of chapter four hundred and thirteen, laws of eighteen hundred and ninety-seven, and chapter five hundred and forty-six, laws of eighteen hundred and ninety-six, and it shall be the duty of the treasurer to report annually to the legislature the detail of the several expenditures.

The salary or compensation of any officer or employe, when not prescribed by law, other than this act, for which an appropriation is made by this act, may be fixed by the department, official or officials appointing such officer, or employing such employe, at a less, but not at a greater sum than the amount herein appropriated for the salary or compensation of such officer or employe. No appropriation herein contained shall be available for the salary or compensation of any regular officer or employe whose employment or office is not herein specified unless his appointment or employment is expressly authorized.

A manager, trustee or officer of any state, charitable, or other institution receiving moneys under this act from the state treasury, for maintenance and support, shall be entitled to actual and necessary traveling expenses only when attending meetings of

the board at the office of the institution, or in attendance on the state board of charities or the state comptroller, pursuant to a request of said board or comptroller.

§ 3. This act shall take effect immediately.

Which report was agreed to, and said bill ordered placed on the order of third reading.

Mr. Speaker announced the special order, being the bill (No. 1041, Senate reprint No. 1591) entitled "An act making appropriations for support of government." (Rec. No. 173.)

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 101 }
 { NOES 44 }

Those who voted in the affirmative, were

Adams	Coons	Griffith	Morgan	Schneider
Adler	Costello	Hallock	Nye	Seymour
Ahern	Cotton	Hammond	O'Brien	Sherer
Allds	Coughtry	Hanford	O'Malley	Smith A R
Allston	Darrison	Harris	Orr	Smith J L
Apgar	Davis	Hatch	Patton	Smith J T
Axtell	DeGraw	Henry	Phillips	Smith S W
Babcock	Dickinson	Hitchcock	Phipps	Smith W H
Baker	Doughty	Irwin	Plank	Snyder
Bedell	Dusinbery	Kelsey	Platt	Stevens
Bell	Ellis	Knipp	Price	Swarts
Bennet	Everett	Landon	Rainey	Swift
Blackwell	Fancher	Leggett	Remsen	Thorn
Brill	Fish	Lewis M E	Reynolds	Traub
Brooks	Fordyce	Lewis T D	Roberts	Treat
Bryan	Fowler	Mains	Robinson	Vacheron
Burnett	Galbraith	Mansfield	Rodenbeck	Walrath
Cadin	Gardiner R	Marson	Rogers	Weber
Conger	Gardner C J	McMillan	Ross	Weekes
Cook	Graeff	McQuade	Salyerds	Wilson H
Cooley				

Those who voted in the negative, were

Baum	Duross	Hawkins	Mathews	Rider
Bradley	Egan	Holsten	McInerney	Rierdon
Bruckner	Fitzgerald	Honeck	McKeown	Sanders
Burns	Fitzpatrick	Hyman	Meister	Scanlon
Daly	Frisbie	Juengst	O'Connell	Smith J E
Delaney	Geoghan	Kaiser	Poth	Sullivan
Dempsey	Halpin	Keenan	Prince	Ulmann
Dickey	Harburger	Kelly	Reilley	Van Name
Dooling	Hasenflug	Lynn	Richter	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have agreed to the report of the committee of conferece thereon.

Mr. Speaker announced the special order, being the Senate bill (No. 820) entitled "An act to amend chapter 909 of the Laws of 1896, entitled 'An act in relation to the elections, constituting chapter 6 of the general laws,' relative to challenges." (Rec. No. 360.)

Said bill was read the second time.

On motion of Mr. Burnett, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{	AYES	97	}
{	NOES	44	}

Those who voted in the affirmative, were

Adams	Cotton	Hammond	Nye	Schneider
Ahern	Coughtry	Hanford	O'Brien	Seymour
Allds	Darrison	Harris	O'Malley	Sherer
Allston	Davis	Hatch	Orr	Smith A R
Axtell	DeGraw	Henry	Phillips	Smith J T
Babcock	Dickinson	Hitchcock	Phipps	Smith S W
Baker	Doughty	Irwin	Plank	Smith W H
Bedell	Dusinbery	Kelsey	Platt	Snyder

Bell	Ellis	Knipp	Price	Stevens
Bennet	Everett	Landon	Rainey	Swarts
Blackwell	Fancher	Leggett	Remsen	Thorn
Brill	Fisher	Lewis M E	Reynolds	Traub
Brooks	Fordyce	Lewis T D	Roberts	Treat
Bryan	Fowler	Mains	Robinson	Vacheron
Burnett	Galbraith	Mansfield	Rodenbeck	Waite
Cadin	Gardiner R	Marson	Rogers	Walrath
Conger	Gardner C J	McMillan	Ross	Weber
Cook	Graeff	McQuade	Ruehl	Weekes
Coons	Griffith	Morgan	Salyerds	Wilson H
Costello	Hallock			

Those who voted in the negative, were

Baum	Duross	Hawkins	Mathews	Rider
Bradley	Egan	Holsten	McInerney	Rierdon
Bruckner	Fitzgerald	Honeck	McKeown	Sanders
Burns	Fitzpatrick	Hyman	Meister	Scanlon
Daly	Frisbie	Juengst	O'Connell	Smith J E
Delaney	Geoghan	Kaiser	Poth	Sullivan
Dempsey	Halpin	Keenan	Prince	Ulmann
Dickey	Harburger	Kelly	Reilley	Van Name
Dooling	Hasenflug	Lynn	Richter	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1562) entitled "An act to repeal chapter 107 of the Laws of 1875, entitled 'An act in relation to the treatment of animals.'" (Rec. No. 483.)

Said bill having been announced for a second reading,

Mr. Robinson moved to amend as follows:

Amend the title by striking out the word "repeal" and inserting in lieu thereof the word "amend."

Make section 1 read as follows:

"Section 1. No laws heretofore enacted for the prevention of cruelty to animals shall be so construed as to prevent the shooting of live pigeons by any duly incorporated gun club or association for the promotion of wing shooting, within this state provided that no squabs or immature birds shall be used for such purpose and that each and every bird after being shot shall be immediately retrieved and killed whenever the same shall alight within the grounds of such association or club. The officers and

agents of any humane society shall have free access to any grounds when pigeons are shot and the right to order the shooting to cease at any time when necessary to retrieve any birds."

Mr. Speaker put the question whether the House would agree to said motion of Mr. Robinson, and it was determined in the negative.

{	AYES	57	}
{	NOES	63	}

Those who voted in the affirmative, were

Adams	Egan	Holsten	Meister	Ruehl
Ahern	Ellis	Honeck	Nye	Sanders
Allston	Fitzgerald	Irwin	O'Connell	Scanlon
Baum	Fitzpatrick	Kelly	Patton	Schneider
Brill	Gardiner R	Leggett	Reilley	Smith J E
Burns	Graeff	Marson	Reynolds	Smith J L
Conger	Hallock	Mathews	Richter	Sullivan
Daly	Halpin	McInerney	Rider	Swift
Darrison	Harris	McKeown	Rierdon	Traub
Delaney	Hasenflug	McMillan	Robinson	Ulmann
Doughty	Hatch	McQuade	Ross	Walrath
Duross	Hawkins			

Those who voted in the negative, were

Allds	Cotton	Hammond	Morgan	Salyerds
Axtell	Coughtry	Henry	O'Malley	Seymour
Babcock	Davis	Hitchcock	Orr	Sherer
Baker	Dempsey	Hyman	Phillips	Smith J T
Bell	Dickey	Kaiser	Plank	Smith W H
Bennet	Dickinson	Keenan	Platt	Snyder
Blackwell	Dooling	Kelsey	Price	Stevens
Bradley	Dusinbery	Knipp	Prince	Swarts
Brooks	Everett	Landon	Rainey	Thorn
Cook	Fisher	Lewis M E	Remsen	Van Name
Cooley	Fowler	Lewis T D	Rodenbeck	Weekes
Coons	Frisbie	Lynn	Rogers	Wilson H
Costello	Galbraith	Mansfield		

Said bill was then read the second time.

On motion of Mr. Bennet, said bill was ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, and three-fifths being present.

} AYES 73 }
 } NOES 63 }

Those who voted in the affirmative, were

Allds	Davis	Hanford	Morgan	Seymour
Axtell	Dempsey	Harburger	O'Brien	Sherer
Baker	Dickey	Hatch	O'Malley	Smith J T
Bell	Dickinson	Henry	Orr	Smith S W
Bennet	Dooling	Hitchcock	Phillips	Smith W H
Blackwell	Dusinbery	Hyman	Platt	Snyder
Bryan	Everett	Kaiser	Price	Stevens
Burnett	Fancher	Kelsey	Prince	Swarts
Cook	Fish	Knipp	Rainey	Treat
Cooley	Fisher	Landon	Remsen	Vacheron
Coons	Fordyce	Lewis M E	Roberts	Van Name
Costello	Fowler	Lewis T D	Rodenbeck	Walrath
Cotton	Frisbie	Lynn	Rogers	Weekes
Coughtry	Galbraith	Mains	Salyerds	Wilson H
Darrison	Hammond	Mansfield		

Those who voted in the negative, were

Adams	Delaney	Hawkins	McQuade	Ross
Ahern	Doughty	Holsten	Meister	Ruehl
Allston	Duross	Honeck	Nye	Sanders
Babcock	Egan	Irwin	O'Connell	Scanlon
Baum	Ellis	Juengst	Plank	Schneider
Bedell	Fitzgerald	Keenan	Poth	Smith J E
Bradley	Fitzpatrick	Kelly	Reilley	Smith J L
Brill	Gardiner R	Leggett	Reynolds	Sullivan
Brooks	Graeff	Marson	Richter	Swift
Burns	Hallock	Mathews	Rider	Thorn
Cadin	Halpin	McInerney	Rierdon	Traub
Conger	Harris	McKeown	Robinson	Ulmann
Daly	Hasenflug	McMillan		

Mr. Bennet moved to reconsider the vote by which said bill was lost, and that said motion lie on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker announced the special order, being the Senate bill (No. 1602) entitled "An act relating to the rights of veterans." (Rec. No. 498.)

Said bill was read the second time.

On motion of Mr. Swift, said bill was placed on the order of third reading.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK—EXECUTIVE CHAMBER.

To the Legislature:

It appearing to my satisfaction that the public interest requires it;

Therefore, In accordance with the provisions of section 15 of article 3 of the Constitution, and by virtue of the authority thereby conferred upon me, I do hereby certify to the necessity of the immediate passage of Senate bill No. 1602 (Rec. No. 498), entitled "An act relating to the rights of veterans."

Given under my hand and the privy seal of the State at the Capitol, in the city of Albany, this twenty-second day
[L. S.] of April, in the year of our Lord one thousand nine hundred and one.

B. B. ODELL, JR.

By the Governor:

JAS. G. GRAHAM,

Secretary to the Governor.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 111 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Davis	Harburger	Mathews	Ruehl
Abern	Delaney	Harris	McInerney	Sanders
Allds	Dempsey	Hasenflug	McKeown	Scanlon
Allston	Dickinson	Hawkins	McQuade	Schneider

Axtell	Doughty	Henry	Meister	Sherer
Babcock	Duross	Hitchcock	Morgan	Smith J E
Baker	Egan	Holsten	O'Brien	Smith J L
Baum	Ellis	Honeck	O'Connell	Smith J T
Bell	Everett	Hyman	Orr	Smith W H
Bennet	Fish	Irwin	Patton	Stevens
Blackwell	Fisher	Juengst	Phipps	Sullivan
Bradley	Fitzgerald	Kaiser	Plank	Swift
Brill	Fitzpatrick	Keenan	Platt	Thorn
Bruckner	Fowler	Kelly	Price	Traub
Bryan	Frisbie	Kelsey	Prince	Ulmann
Burnett	Galbraith	Knipp	Reilley	Vacheron
Burns	Gardiner R	Landon	Reynolds	Van Name
Conger	Geoghan	Leggett	Richter	Waite
Cook	Graeff	Lewis T D	Roberts	Walrath
Coons	Hallock	Lynn	Rierdon	Weber
Costello	Halpin	Mains	Rodenbeck	Weekes
Coughtry	Hanford	Mansfield	Ross	Wilson H
Darrison				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1459) entitled "An act to authorize the comptroller of the city of New York, to cancel and discharge certain taxes and interest thereon, and certain assessments and interest thereon, and certain water rates and interest thereon, levied upon the property owned by George J. Greenfield, Henry Greenfield and Elizabeth M. Greenfield, situated in the Twelfth ward in the city of New York, borough of Manhattan." (Rec. No. 499.)

Said bill was read the second time.

On motion of Mr. Bennet, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 126 }
 } NOES 00 }

Those who voted in the affirmative, were

Adams	Coughtry	Harris	Nye	Sanders
Adler	Daly	Hasenflug	O'Brien	Schneider
Ahern	Davis	Hawkins	O'Connell	Seymour
Allds	DeGraw	Henry	O'Malley	Sherer
Allston	Delaney	Hitchcock	Orr	Smith A R
Apgar	Dempsey	Honeck	Patton	Smith J E
Axtell	Dickinson	Hyman	Phillips	Smith J L
Babcock	Dooling	Irwin	Phipps	Smith J T
Baker	Doughty	Juengst	Plank	Smith S W
Baum	Dusinbery	Kaiser	Platt	Smith W H
Bedell	Everett	Keenan	Poth	Snyder
Bell	Fancher	Kelly	Price	Stevens
Bennet	Fish	Kelsey	Prince	Sullivan
Blackwell	Fitzgerald	Landon	Rainey	Swarts
Bradley	Fitzpatrick	Leggett	Remsea	Swift
Brill	Fordyce	Lewis M E	Reynolds	Thorn
Brooks	Frisbie	Lewis T D	Richter	Traub
Bruckner	Galbraith	Lynn	Rider	Treat
Burnett	Gardiner R	Mansfield	Rierdon	Ulmann
Burns	Gardner C J	Marson	Roberts	Vacheron
Cadin	Geoghan	McInerney	Robinson	Van Name
Conger	Griffith	McKeown	Rodenbeck	Waite
Cooley	Hallock	McMillan	Rogers	Weber
Coons	Hammond	Meister	Ruehl	Weekes
Costello	Hanford	Morgan	Salyerds	Wilson H
Cotton				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1378) entitled "An act to authorize the construction of a bridge over the Erie canal, in the city of Rochester." (Rec. No. 402.)

Said bill was read the second time.

On motion of Mr. M. E. Lewis, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 109 }
 { NOES 00 }

Those who voted in the affirmative, were

Adams	Coughtry	Griffith	Marson	Rogers
Adler	Darrison	Halpin	Mathews	Ross
Ahern	Davis	Hammond	McKeown	Salyerds
Allston	Delaney	Hanford	McMillan	Sanders
Apgar	Dempsey	Harris	McQuade	Schneider
Axtell	Dickey	Hatch	Morgan	Seymour
Bedell	Dooling	Hawkins	Nye	Smith A R
Baum	Doughty	Hitchcock	O'Connell	Smith J L
Bell	Duross	Honeck	O'Malley	Smith J T
Bennet	Dusinbery	Hyman	Orr	Smith S W
Bradley	Egan	Irwin	Phillips	Snyder
Brill	Ellis	Kaiser	Phipps	Stevens
Brooks	Fancher	Keenan	Plank	Swarts
Bryan	Fish	Kelly	Poth	Thorn
Burnett	Fisher	Kelsey	Price	Traub
Burns	Fitzgerald	Knipp	Rainey	Ulmann
Cadin	Fitzpatrick	Leggett	Reilley	Van Name
Conger	Fowler	Lewis M E	Remsen	Waite
Cook	Galbraith	Lewis T D	Richter	Walrath
Coons	Gardiner R	Lynn	Rider	Weekes
Costello	Gardner C J	Mains	Roberts	Wilson H
Cotton	Graeff	Mansfield	Robinson	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the bill (No. 1650) entitled "An act to amend chapter 112 of the Laws of 1896, entitled 'An act in relation to the traffic in liquors, and for the taxation and regulation of the same, and to provide for local option, constituting chapter 29 of the general laws.'" (Int. No. 1252.)

Said bill was read the second time.

On motion of Mr. Apgar, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, and three-fifths being present.

{ AYES 69 }
 { NOES 46 }

Those who voted in the affirmative, were

Adler	Cotton	Graeff	Mains	Rider
Ahern	Delaney	Griffith	Mathews	Rierdon
Apgar	Dickey	Halpin	McInerney	Robinson
Axtell	Dickinson	Harris	McKeown	Rogers
Babcock	Doughty	Hatch	McMillan	Sanders
Baker	Dusinbery	Hawkins	Meister	Scanlon
Bedell	Egan	Hitchcock	Nye	Smith J E
Bell	Ellis	Juengst	O'Brien	Smith J L
Blackwell	Everett	Keenan	O'Connell	Smith S W
Bradley	Fancher	Kelly	Orr	Sullivan
Brill	Fitzgerald	Kelsey	Phillips	Thorn
Burns	Frisbie	Landon	Poth	Ulmann
Cooley	Gardiner R	Leggett	Prince	Walrath
Coons	Geoghan	Lynn	Reilly	

Those who voted in the negative were,

Baum	Davis	Harburger	Patton	Salyerds
Bennet	Dempsey	Henry	Phipps	Seymour
Bryan	Dooling	Honeck	Platt	Smith W H
Burnett	Duross	Hyman	Price	Snyder
Cadin	Fisher	Irwin	Reynolds	Swift
Conger	Fitzpatrick	Knipp	Richter	Traub
Cook	Fowler	Lewis T D	Rodenbeck	Treat
Costello	Hallock	Mansfield	Ross	Van Name
Daly	Hammond	Morgan	Ruehl	Weekes
Darrison				

Mr. Speaker announced the special order, being the bill (No. 2559) entitled "An act to amend subdivision 11 of section 41 of the Penal Code, relative to misdemeanors at, or in connection with, enrollment in political parties." (Int. No. 1684.)

Said bill having been announced for a second reading,

On motion of Mr. O'Malley, said bill was laid aside, retaining its place on the order of second reading.

Mr. Speaker announced the special order, being the Senate bill (No. 1511) entitled "An act to amend section 351 of the Penal Code, relative to pool-selling, book-making, bets and wagers, etc." (Rec. No. 472.)

Said bill was read the second time.

On motion of Mr. Kelsey, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{	AYES	99	}
{	NOES	11	}

Those who voted in the affirmative, were

Ahern	Doughty	Hatch	McMillan	Ruehl
Apgar	Duross	Hawkins	McQuade	Salyerds
Axtell	Dusinbery	Henry	O'Brien	Sanders
Babcock	Egan	Hitchcock	O'Connell	Scanlon
Baum	Everett	Honeck	O'Malley	Smith A R
Bedell	Fancher	Irwin	Orr	Smith J E
Bell	Fish	Juengst	Plank	Smith S W
Bradley	Fordyce	Keenan	Poth	Snyder
Brill	Fowler	Kelly	Price	Sullivan
Burnett	Frisbie	Kelsey	Prince	Swift
Burns	Galbraith	Knipp	Reilley	Thorn
Cadin	Gardiner R	Lewis M E	Remsen	Traub
Conger	Geoghan	Lewis T D	Richter	Treat
Coons	Graeff	Lynn	Rider	Ulmann
Coughtry	Griffith	Mains	Rierdon	Vacheron
Daly	Hallock	Mansfield	Roberts	Waite
Darrison	Halpin	Marson	Robinson	Walrath
Dickey	Hammond	Mathews	Rodenbeck	Weber
Dickinson	Hanford	McInerney	Rogers	Weekes
Dooling	Harris	McKeown	Ross	

Those who voted in the negative, were

Baker	Landon	Patton	Rainey	Smith W H
Cooley	Morgan	Phipps	Reynolds	Stevens
Davis				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1507) entitled "An act to amend the Tax Law, relating to the taxation of the stockholders of banks and banking associations." (Rec. No. 453.)

Said bill was read the second time.

On motion of Mr. M. E. Lewis, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 99 }
{ NOES 23 }

Those who voted in the affirmative, were

Ahern	Coughtry	Hatch	O'Malley	Smith A R
Allds	Darrison	Henry	Orr	Smith J L
Apgar	Davis	Hitchcock	Patton	Smith J T
Axtell	Dickinson	Irwin	Phillips	Smith S W
Babcock	Doughty	Kelly	Phipps	Smith W H
Baker	Dusinbery	Kelsey	Plank	Snyder
Bedell	Ellis	Knipp	Platt	Stevens
Bell	Everett	Landon	Price	Sullivan
Bennet	Fancher	Leggett	Rainey	Swarts
Blackwell	Fisher	Lewis M E	Remsen	Swift
Brill	Fordyce	Lewis T D	Reynolds	Thorn
Bryan	Fowler	Lynn	Roberts	Traub
Burnett	Galbraith	Mains	Robinson	Treat
Cadin	Gardiner R	Mansfield	Rodenbeck	Vacheron
Conger	Graeff	Mathews	Rogers	Waite

Cook	Griffith	McMillan	Ross	Walrath
Cooley	Hallock	McQuade	Ruehl	Weber
Coons	Hammond	Morgan	Salyerds	Weekes
Costello	Hanford	Nye	Seymour	Wilson H
Cotton	Harris	O'Brien	Sherer	

Those who voted in the negative, were

Baum	Dooling	Harburger	McKeown	Richter
Bradley	Fitzgerald	Hasenflug	Meister	Rider
Burns	Frisbie	Honeck	Poth	Sanders
Daly	Geoghan	Juengst	Reilley	Van Name
Dempsey	Halpin	Kaiser		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. R. Gardiner offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That the Assembly bill No. 369, entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of S. F. Hess & Company, against the State for damages alleged to have been sustained by the said S. F. Hess & Company, and to render judgment therefor" (Int. No. 354), be returned to the Governor.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

The Senate returned the concurrent resolution ordering the return to the Governor of Assembly bill No. 369, entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of S. F. Hess & Company, against the State for damages alleged to have been sustained by the said S. F. Hess & Company, and to render judgment therefor" (Int. No. 354), with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said bill to the Governor.

Mr. Ross offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of

Assembly bill No. 1775, entitled "An act to amend chapter 905 of the Laws of 1896, entitled 'An act to incorporate the city of Watervliet'" (Int. No. 1081), for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

The Senate returned the concurrent resolution recalling from the Governor, for the purpose of amendment, Assembly bill No. 1775, entitled "An act to amend the charter of the city of Watervliet, relative to board of fire commissioners, etc." (Int. No. 1081), with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

Mr. Allds offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill No. 1592, entitled "An act to reappropriate certain unexpended balances of former appropriations" (Int. No. 1221), for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

The Senate returned the concurrent resolution recalling from the Governor, for the purpose of amendment, Assembly bill No. 1592, entitled "An act to reappropriate certain unexpended balances of former appropriations" (Int. No. 1221), with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK—EXECUTIVE CHAMBER,
ALBANY, April 22, 1901.

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill No. 1592, entitled "An act to reappropriate certain unexpended balances of former appropriations." (Int. No. 1221.)

B. B. ODELL, JR.

Mr. Allds moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 84 }
 { NOES 00 }

Those who voted in the affirmative, were

Adams	Daly	Hammond	Mathews	Ross
Adler	Darrison	Harburger	McInerney	Salyerds
Ahern	DeGraw	Harris	McMillan	Sanders
Allds	Dempsey	Hatch	Meister	Seymour
Apgar	Dickinson	Henry	Nye	Smith A R
Axtell	Doughty	Hitchcock	O'Connell	Smith J L
Baker	Dusinbery	Honeck	O'Malley	Smith S W
Baum	Ellis	Irwin	Phillips	Smith W H
Bell	Fancher	Juengst	Phipps	Stevens
Blackwell	Fisher	Kaiser	Platt	Swift
Brill	Fitzpatrick	Keenan	Price	Traub
Bruckner	Frisbie	Kelly	Prince	Ulmann
Bryan	Galbraith	Knipp	Reiley	Van Name
Burns	Gardiner R	Leggett	Reynolds	Walrath
Conger	Geoghan	Lewis T D	Rider	Weekes
Cooley	Griffith	Lynn	Roberts	Wilson H
Costello	Hallock	Mansfield	Rodenbeck	

Mr. Allds moved that said bill be recommitted to the committee on ways and means, with instructions to report the same forthwith, amended as follows:

Page 2, line 14, strike out the words "the sum."

Same page, strike out all of lines 15, 16, 17 and the words "hundred ninety-nine" in line 18.

Page 3, line 1, strike out the words "and the sum of five thous" and all of lines 2, 3 and 4.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Allds, and it was determined in the affirmative.

Mr. Allds, from the committee on ways and means, reported

said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK—EXECUTIVE CHAMBER.

To the Legislature:

It appearing to my satisfaction that the public interest requires it;

Therefore, In accordance with the provisions of section 15 of article 3 of the Constitution, and by virtue of the authority thereby conferred upon me, I do hereby certify to the necessity of the immediate passage of Assembly bill No. 1592 (Int. No. 1221), entitled "An act to reappropriate certain unexpended balances of former appropriations," as amended.

Given under my hand and the privy seal of the State, at the Capitol, in the city of Albany, this twenty-second day
[L. s.] of April, in the year of our Lord one thousand nine hundred and one.

B. B. ODELL, JR.

By the Governor:

JAS. G. GRAHAM,

Secretary to the Governor.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 88 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Cotton	Harburger	McKeown	Ruehl
Adler	Daly	Hasenflug	McQuade	Sanders
Ahern	Darrison	Hawkins	Morgan	Schneider
Allston	DeGraw	Hitchcock	Nye	Sherer
Apgar	Dempsey	Holsten	O'Connell	Smith J E
Babcock	Dickinson	Honeck	Orr	Smith J T
Baum	Doughty	Irwin	Phillips	Smith S W
Bell	Dusinbery	Juengst	Phipps	Snyder
Bennet	Ellis	Kaiser	Platt	Sullivan
Bradley	Fancher	Keenan	Poth	Swift
Brooks	Fisher	Kelly	Prince	Thorn
Brill	Harris	Marson		

Bryan	Fitzpatrick	Knipp	Reilley	Treat
Burnett	Fowler	Landon	Reynolds	Vacheron
Cadin	Gardiner R	Lewis M E	Rider	Van Name
Conger	Gardner C J	Lynn	Roberts	Walrath
Cook	Graeff	Mains	Rodenbeck	Weekes
Coons	Halpin	Marson	Rogers	Wilson H
Costello	Hanford	Mathews		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have reconsidered their vote on the final passage of said bill, and as amended have again passed the same, and request the assent of the Senate to said amendments.

Mr. R. Gardiner offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That the Assembly bill No. 1489, entitled "An act to amend the Poor Law, relative to poor persons owning real or personal property" (Int. No. 947), be returned to the Governor.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

The Senate returned the concurrent resolution returning to the Governor Assembly bill No. 1489, entitled "An act to amend the Poor Law, relative to poor persons owning real or personal property" (Int. No. 947), with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said bill to the Governor.

A message from the Senate was received and read, in the words following:

IN SENATE, April 19, 1901.

Pursuant to concurrent resolution of the Senate and Assembly, the Governor returned the Senate bill No. 1048, entitled "An act to amend chapter 134 of the Laws of 1891, entitled 'An act to incorporate the Church Insurance Association.'" (Rec. No. 292.)

The vote upon the final passage of said bill having been reconsidered, on motion of Mr. Armstrong, and by unanimous consent, the same was amended as follows:

Page 3, lines 7 and 8, strike out the brackets.

Page 4, line 25, strike out the bracket.

Page 5, line 6, before the word "And" insert a bracket.

Page 8, line 15, strike out the word "blanks" and strike out the brackets.

Same page, line 16, commencing with the word "and" strike out all down to and including the word "thereto" in line 20.

Said bill as amended, was reprinted, re-engrossed, and having been upon the desks of the members three legislative days, was passed and ordered sent to the Assembly for concurrence.

By order of the Senate,

JAMES S. WHIPPLE,

Clerk.

Mr. M. E. Lewis moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 97 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Daly	Harburger	McMillan	Ross
Adler	DeGraw	Hasenflug	McQuade	Salyerds
Allds	Delaney	Hatch	Morgan	Sanders
Allston	Dickey	Henry	Nye	Schneider
Apgar	Dooling	Holsten	O'Brien	Seymour
Babcock	Doughty	Hyman	O'Connell	Sherer
Baum	Dusinbery	Juengst	O'Malley	Smith J E
Bedell	Ellis	Kaiser	Orr	Smith J L
Bennet	Everett	Keenan	Phillips	Smith S W
Blackwell	Fish	Kelly	Phipps	Smith W H
Bradley	Fitzgerald	Knipp	Platt	Stevens
Brill	Fordyce	Landon	Poth	Swarts
Brooks	Frisbie	Lewis M E	Prince	Swift
Bryan	Gardiner R	Lewis T D	Reilley	Traub
Burnett	Gardner C J	Mains	Remsen	Ulmann
Cadin	Geoghan	Mansfield	Reynolds	Vacheron
Conger	Graeff	Mathews	Rider	Walrath
Cooley	Hallock	McInerney	Rierdon	Weekes
Costello	Halpin	McKeown	Robinson	Wilson H
Cotton	Hanford			

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK—EXECUTIVE CHAMBER,
ALBANY, April 19, 1901.

To the Legislature:

It appearing to my satisfaction that the public interest requires it;

Therefore, In accordance with the provisions of section 15 of article 3 of the Constitution, and by virtue of the authority thereby conferred upon me, I do hereby certify to the necessity of the immediate passage of Senate bill No. 1048, Int. No. 788, entitled "An act to amend chapter 134 of the Laws of 1891, entitled 'An act to incorporate the Church Insurance Association,' " as amended.

Given under my hand and the privy seal of the State, at the Capitol, in the city of Albany, this nineteenth day of
[L. S.] April, in the year of our Lord one thousand nine hundred and one.

B. B. ODELL, JR.

By the Governor:

JAS. G. GRAHAM,
Secretary to the Governor.

Mr. Speaker put the question whether the House would agree to the final passage of said bill as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 115 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Coons	Graeff	Marson	Ross
Adler	Cotton	Griffith	McInerney	Salverds
Ahern	Coughtry	Halpin	McMillan	Sanders
Allds	Daly	Hammond	McQuade	Scanlon
Apgar	Darrison	Hanford	Meister	Seymour
Axtell	Davis	Harris	Nye	Sherer
Babcock	DeGraw	Hasenflug	O'Brien	Smith A R
Baker	Delaney	Hatch	O'Connell	Smith J L
Baum	Dickey	Henry	O'Malley	Smith J T
Bedell	Dickinson	Hitchcock	Orr	Smith S W
Bennet	Dooling	Holsten	Patton	Snyder
Blackwell	Duross	Honeck	Phipps	Stevens

Bradley	Dusinbery	Irwin	Platt	Sullivan
Brill	Ellis	Juengst	Poth	Swarts
Brooks	Everett	Kaiser	Prince	Thorn
Bruckner	Fish	Keenan	Rainey	Traub
Bryan	Fisher	Kelly	Reilley	Treat
Burnett	Fitzpatrick	Kelsey	Remsen	Vacheron
Burns	Fordyce	Landon	Richter	Van Name
Cadin	Fowler	Lewis M E	Rider	Waite
Conger	Frisbie	Lewis T D	Robinson	Weber
Cook	Gardiner R	Mains	Rodenbeck	Weekes
Cooley	Gardner C J	Mansfield	Rogers	Wilson H

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have reconsidered their vote on the final passage of said bill, and as amended have again passed the same.

The Senate sent for concurrence a resolution in the words following:

Resolved (if the Assembly concur), That the Senate bill No. 1116, entitled "An act to amend the Forest, Fish and Game Law, relative to powers of game protectors" (Rec. No. 274), be returned to the Governor.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate sent for concurrence a resolution in the words following:

Resolved (if the Assembly concur), That the Senate bill No. 580, entitled "An act to amend article 1, section 52 of chapter 690 of the Laws of 1892, as amended by chapter 725 of the Laws of 1893, constituting chapter 38 of the general laws and known as the Insurance Law" (Rec. No. 297), be returned to the Governor.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate sent for concurrence a resolution in the words following:

Resolved (if the Assembly concur), That a respectful message be sent to the mayor of the city of Buffalo, requesting the return of Senate bill No. 219, entitled "An act to authorize and empower the board of public works and common council of the city of Buffalo to audit, adjust and pay the claim of Anthony C. Douglass for the actual value of all work performed and materials furnished by him in and about the construction of the tunnel from the pumping station of the Buffalo city water works to the inlet pier, and the extension of such pier in said city" (Rec. No. 31), for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

By unanimous consent, Mr. McKeown called up the bill (No. 2586) entitled "An act to amend chapter 772 of the Laws of 1896, relative to the salary of chief clerk of the district attorney of Kings county." (Int. No. 126.)

Said bill having been announced for a third reading.

Mr. McKeown moved that said bill be recommitted to the committee on affairs of cities, with instructions to report forthwith the following substitute bill:

AN ACT to amend chapter seven hundred and seventy-two of the laws of eighteen hundred and ninety-six, relative to the salary of chief clerk of the district attorney of Kings county.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Section three of chapter seven hundred and seventy-two of the laws of eighteen hundred and ninety-six, entitled "An act in relation to the office of the district attorney of the county of Kings providing for the election of district attorney and the appointment of clerks, stenographers and county detectives for said office" as amended by chapter one hundred and twenty-six of the laws of nineteen hundred is hereby amended so as to read as follows:

§ 3. The said district attorney shall also have the power to appoint one chief clerk, whose compensation shall not exceed

[three thousand five hundred] five thousand dollars per annum, and five additional clerks, whose compensation shall not exceed two thousand dollars each per annum, one messenger, whose compensation shall not exceed twelve hundred dollars per annum, and one doorkeeper, whose compensation shall not exceed twelve hundred dollars per annum, said compensation of the said several clerks, messengers and doorkeeper to be fixed and determined by the said district attorney subject to the approval of the board of estimate and apportionment and to be paid monthly by the comptroller of the city of New York.

§ 2. This act shall take effect immediately.

Mr. Speaker put the question whether the House would agree to said motion of Mr. McKeown, and it was determined in the affirmative.

Mr. Kelsey, from the committee on affairs of cities, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK—EXECUTIVE CHAMBER.

To the Legislature:

It appearing to my satisfaction that the public interest requires it;

Therefore, In accordance with the provisions of section 15 of article 3 of the Constitution, and by virtue of the authority thereby conferred upon me, I do hereby certify to the necessity of the immediate passage of Assembly bill No. 2586, Int. No. 126, entitled "An act to amend chapter 772 of the Laws of 1896, relative to the salary of chief clerk of the district attorney of Kings county," as amended.

Given under my hand and the privy seal of the State, at the Capitol, in the city of Albany, this twenty-second day [L. s.] of April, in the year of our Lord one thousand nine hundred and one.

B. B. ODELL, JR.

By the Governor:

JAS. G. GRAHAM,

Secretary to the Governor.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 94 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Darrison	Harburger	Meister	Schneider
Ahern	DeGraw	Hasenflug	Nye	Sherer
Allds	Dempsey	Hawkins	O'Brien	Smith J E
Allston	Dickinson	Hitchcock	O'Connell	Smith J L
Axtell	Doughty	Holsten	Orr	Smith S W
Babcock	Dusinbery	Hyman	Patton	Smith W H
Baum	Ellis	Juengst	Phipps	Stevens
Bedell	Everett	Kaiser	Plank	Swarts
Bennet	Fish	Keenan	Poth	Swift
Bradley	Fitzgerald	Kelly	Price	Traub
Brill	Fordyce	Kelsey	Rainey	Ulmann
Bruckner	Fowler	Knipp	Reilley	Vacheron
Burnett	Galbraith	Leggett	Richter	Van Name
Burns	Gardner C J	Lewis T D	Rierdon	Waite
Conger	Geoghan	Mains	Robinson	Walrath
Cooley	Griffith	Marson	Rodenbeck	Weber
Costello	Hallock	Mathews	Ross	Weekes
Cotton	Halpin	McMillan	Ruehl	Wilson H
Daly	Hanford	McQuade	Sanders	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have reconsidered their vote on the final passage of said bill, and as amended have again passed the same.

The Senate returned the bill (No. 2289, Senate reprint No. 1583) entitled "An act to ratify and confirm the acts of the bureau in the former police department of the city of New York, known and designated as the general bureau of elections, the branch bureaus and clerks thereof between February 21, 1901, and March 13, 1901, and to provide for the payment of salaries, etc." (Int. No. 1099), with a message that they have concurred in the passage of the same, with the following amendments:

Strike out all after the enacting clause and insert the following:

Section 1. All acts done by the bureau in the former police department of the city of New York, known and designated as

the general bureau of elections, and the branches of said general bureau of elections in the borough of Brooklyn, Bronx, Queens, and Richmond, or by the superintendent of elections, or the chiefs of the branch bureaus of elections in said respective boroughs, or the chief clerks, clerks, assistant clerks, and other employes attached to and in the service of the bureau of elections of the city of New York, and one of the branch bureaus of said bureau in the respective boroughs, between February twenty-first, nineteen hundred and one, and March thirteenth, nineteen hundred and one, required or authorized by the general election law or by the primary law of this state, are hereby ratified and confirmed with the same force and effect as if said general bureau of elections and the branches thereof had not been abolished by chapter thirty-three of the laws of nineteen hundred and one; and the comptroller of the city of New York is hereby authorized and empowered to audit and pay all claims against the said bureau, and to pay the salaries of the superintendent, chiefs of bureaus, chief clerks, assistant clerks, and other employes attached to and in the service of the said bureau of elections between the twenty-first day of February, nineteen hundred and one, and the thirteenth day of March, nineteen hundred and one.

§ 2. This act shall take effect immediately.

Amend title to read as follows: "An act to ratify and confirm the acts of the bureau in the former police department of the city of New York known and designated as the general bureau of elections, the branch bureaus and clerks thereof between February twenty-first, nineteen hundred and one, and March thirteenth, nineteen hundred and one, and to provide for the payment of salaries, et cetera."

Mr. H. Wilson moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 102 }
 } NOES 00 }

Those who voted in the affirmative, were

Baum	Coughtry	Harburger	McQuade	Sanders
Adler	Darrison	Hasenflug	Meister	Schneider
Ahern	Davis	Hawkins	Nye	Seymour

Allds	Delaney	Henry	O'Brien	Smith J L
Allston	Dempsey	Holsten	O'Connell	Smith J T
Axtell	Dickinson	Honeck	Orr	Smith S W
Babcock	Doughty	Hyman	Phillips	Smith W H
Baker	Duross	Irwin	Phipps	Stevens
Baum	Egan	Juengst	Platt	Sullivan
Bedell	Everett	Kaiser	Price	Swarts
Bennet	Fancher	Keenan	Prince	Swift
Blackwell	Fisher	Kelly	Rainey	Thorn
Brill	Fitzpatrick	Knipp	Remsen	Treat
Brooks	Fowler	Leggett	Reynolds	Ulmann
Bruckner	Frisbie	Lewis M E	Rider	Vacheron
Burnett	Galbraith	Lewis T D	Rierdon	Waite
Burns	Gardner C J	Mains	Robinson	Walrath
Cadin	Graeff	Marson	Rodenbeck	Weber
Cook	Griffith	Mathews	Ross	Weekes
Cooley	Halpin	McKeown	Ruehl	Wilson H
Costello	Hanford			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

A message was received from the Senate, in the words following:

IN SENATE, April 22, 1901.

Pursuant to concurrent resolution of the Senate and Assembly, the Governor returned the Senate bill No. 1592, entitled "An act to amend the Tax Law, in relation to the return by the collector of unpaid taxes." (Rec. No. 311.)

The vote upon the final passage of said bill having been reconsidered, on motion of Mr. Willard, and by unanimous consent, the same was amended as follows:

Page 2, line 9, strike out the comma after the word "heretofore" and the words "or shall hereafter fail" and substitute therefor the word "failed."

Said bill as amended, was reprinted, re-engrossed, and having been upon the desks of the members three legislative days, was passed and ordered sent to the Assembly for concurrence.

By order of the Senate,

JAMES S. WHIPPLE,

Clerk.

Mr. Marson moved to reconsider the vote on the final passage of said bill.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 104 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Daly	Hammond	Marson	Rodenbeck
Adler	Davis	Harburger	McInerney	Rogers
Ahern	DeGraw	Hasenflug	McKeown	Ruehl
Allds	Delaney	Hawkins	McQuade	Sanders
Apgar	Dickey	Henry	Meister	Schneider
Axtell	Dickinson	Holsten	Morgan	Sherer
Babcock	Doughty	Honeck	Nye	Smith A R
Baum	Dusinbery	Hyman	O'Brien	Smith J L
Bedell	Egan	Irwin	O'Malley	Smith J T
Bennet	Everett	Juengst	Orr	Snyder
B'ackwell	Fish	Kaiser	Patton	Stevens
Bradley	Fisher	Kelly	Phipps	Swarts
Brill	Fitzpatrick	Kelsey	Plank	Thorn
Bruckner	Fordyce	Knipp	Poth	Traub
Burnett	Fowler	Landon	Price	Ulmann
Burns	Frisbie	Leggett	Rainey	Vacheron
Cadin	Gardiner R	Lewis M E	Reilley	Waite
Cook	Gardner C J	Lewis T D	Remsen	Weber
Cooley	Graeff	Lynn	Richter	Weekes
Costello	Griffith	Mains	Rider	Wilson H
Coughtry	Halpin	Mansfield	Roberts	

Mr. Speaker put the question whether the House would agree to the final passage of said bill as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 101 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Coons	Geoghan	Lewis T D	Robinson
Adler	Costello	Graeff	Lynn	Rogers
Ahern	Cotton	Griffith	Mansfield	Ruehl

Allds	Coughtry	Halpin	Marson	Sanders
Apgar	Darrison	Hammond	Mathews	Scanlon
Axtell	DeGraw	Harburger	McKeown	Seymour
Babcock	Delaney	Harris	McMillan	Smith A R
Baker	Dickey	Hasenflug	Meister	Smith J L
Baum	Dickinson	Hatch	Morgan	Smith S W
Bedell	Doughty	Hawkins	O'Brien	Snyder
Bell	Duross	Henry	O'Malley	Stevens
Bennet	Egan	Hitchcock	Orr	Swarts
Blackwell	Ellis	Holsten	Phillips	Traub
Brill	Everett	Hyman	Plank	Ulmann
Brooks	Fish	Juengst	Poth	Vacheron
Bruckner	Fitzgerald	Keenan	Prince	Van Name
Bryan	Fitzpatrick	Kelly	Reilley	Waite
Burns	Fordyce	Kelsey	Remsen	Weber
Cadin	Frisbie	Landon	Richter	Weekes
Conger	Gardiner R	Leggett	Rierdon	Wilson H
Cook				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have reconsidered the vote on the final passage of said bill, and as amended have again passed the same.

The Senate returned the bill (No. 2135, Senate reprint No. 1595) entitled "An act in relation to Harbor brook and Onondaga lake in Onondaga county" (Int. No. 1200), with a message that they have concurred in the passage of the same, with the following amendments:

Strike out all after the enacting clause and insert the following:

"Section 1. It shall be lawful for any person or corporation to place slacked lime in Harbor brook or Onondaga lake in Onondaga county if a written permit so to do shall have been issued to such person or corporation by the forest, fish and game commission, and a certificate entered in the office of such commission that such action will not be detrimental to the public interest. The forest, fish and game commission may on notice revoke any permit issued under this act.

"§ 2. This act shall take effect immediately."

Amend the title to read as follows: "An act in relation to Harbor brook and Onondaga lake in Onondaga county."

Mr. Baker moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur

in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 91 }
 { NOES 00 }

Those who voted in the affirmative, were

Adams	Darrison	Harburger	McMillan	Salyerds
Adler	Davis	Hasenflug	Meister	Scanlon
Ahern	Delaney	Hawkins	Morgan	Schneider
Allds	Dickey	Hitchcock	O'Brien	Seymour
Apgar	Dickinson	Holsten	O'Malley	Smith A R
Axtell	Doughty	Honeck	Orr	Smith J L
Baker	Duross	Irwin	Phillips	Smith J T
Baum	Egan	Kaiser	Plank	Smith W E
Bell	Everett	Keenan	Platt	Snyder
Blackwell	Fish	Kelly	Price	Sullivan
Bradley	Fitzgerald	Knipp	Rainey	Irwin
Brooks	Fordyce	Landon	Reilley	Thorn
Bryan	Galbraith	Lewis M E	Reynolds	Treat
Burns	Gardiner R	Lynn	Rider	Ulmann
Cadin	Geoghan	Mains	Rierdon	Van Name
Cook	Griffith	Mansfield	Robinson	Walrath
Coons	Halpin	Mathews	Rodenbeck	Weber
Costello	Hammond	McKeown	Ross	Wilson H
Coughtry				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK—EXECUTIVE CHAMBER,
 ALBANY, April 22, 1901.

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill No. 1775, entitled "An act to amend the charter of the city of Watervliet, relative to board of fire commissioners, etc." (Int. No. 1081.)

B. B. ODELL, JR.

Mr. Ross moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 90 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Coughtry	Hammond	McInerney	Ross
Adler	Daly	Hanford	McMillan	Salyerds
Ahern	Davis	Harburger	McQuade	Scanlon
Allston	DeGraw	Hasenflug	Morgan	Seymour
Apgar	Dempsey	Hatch	O'Brien	Sherer
Babcock	Dickinson	Henry	O'Connell	Smith J E
Baum	Doughty	Hitchcock	Orr	Smith J T
Bedell	Duross	Honeck	Patton	Smith W H
Bennet	Egan	Irwin	Phipps	Snyder
Bradley	Everett	Kaiser	Platt	Sullivan
Brill	Fancher	Keenan	Poth	Swift
Bruckner	Fisher	Kelly	Prince	Traub
Bryan	Fitzpatrick	Kelsey	Rainey	Treat
Burns	Fowler	Landon	Remsen	Vacheron
Cadin	Galbraith	Lewis M E	Richter	Waite
Cook	Gardner C J	Lynn	Rider	Walrath
Coons	Graeff	Mains	Roberts	Weekes
Costello	Hallock	Marson	Rogers	Wilson H

Mr. Ross moved that said bill be recommitted to the committee on affairs of cities, with instructions to report the same forthwith, amended as follows:

Page 5, line 12, strike out all after the word "years."

Same page, strike out all of lines 13, 14, 15, 16, 17, 18, 19, 20 and 21.

Page 8, line 1, strike out all after the word "years."

Same page, strike out all of lines 2, 3, 4, 5, 6, 7, 8, 9 and 10.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Ross, and it was determined in the affirmative.

Mr. Kelsey, from the committee on affairs of cities, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

A message from the governor was received and read in the words following:

STATE OF NEW YORK—EXECUTIVE CHAMBER.

To the Legislature:

It appearing to my satisfaction that the public interest requires it;

Therefore in accordance with the provisions of section 15 of article 3 of the Constitution and by virtue of the authority thereby conferred upon me, I do hereby certify to the necessity of the immediate passage of Assembly bill No. 1775, Int. No. 1081, entitled "An act to amend the charter of the city of Watervliet, relative to board of fire commissioners, etc."

Given under my hand and privy seal of the State at the Capitol in the city of Albany this twenty-second day
[L. S.] of April in the year of our Lord one thousand nine hundred and one.

B. B. ODELL, JR.

By the Governor:

JAS. G. GRAHAM,

Secretary to the Governor.

Said bill as amended was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 86 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Darrison	Halpin	Marson	Ross
Adler	DeGraw	Hammond	McInerney	Ruehl
Ahern	Delaney	Harburger	McMillan	Scanlon
Allston	Dickey	Hasenflug	McQuade	Schneider
Axtell	Dooling	Hawkins	Morgan	Sherer
Babcock	Duross	Henry	O'Brien	Smith J E
Baum	Egan	Holsten	O'Connell	Smith J L
Bell	Ellis	Hyman	Orr	Smith S W
Blackwell	Fancher	Irwin	Phillips	Snyder
Bradley	Fisher	Kaiser	Plank	Sullivan

Brooks	Fitzgerald	Keenan	Platt	Swift
Bruckner	Fordyce	Kelly	Poth	Thorn
Burnett	Fowler	Knipp	Rainey	Traub
Cadin	Galbraith	Leggett	Reynolds	Ulmann
Cook	Gardner C J	Lewis M E	Rider	Vacheron
Coons	Geoghan	Lewis T D	Rierdon	Walrath
Cotton	Graeff	Lynn	Roberts	Weekes
Daly	Griffith	Mansfield	Rodenbeck	Wilson H

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have reconsidered the vote on the final passage of said bill, and as amended have again passed the same.

The Senate sent for concurrence the bill (No. 1613) entitled "An act to amend the Tax Law, in relation to the taxable transfers of property" (Rec. No. 495), which was read the first time.

On motion of Mr. M. E. Lewis, and by unanimous consent, said bill was read the second time and ordered to a third reading.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK—EXECUTIVE CHAMBER.

To the Legislature:

It appearing to my satisfaction that the public interest requires it;

Therefore in accordance with the provisions of section 15 of article 3 of the Constitution and by virtue of the authority thereby conferred upon me, I do hereby certify to the necessity of the immediate passage of Senate bill No. 1613, entitled "An act to amend the Tax Law, in relation to the taxable transfers of property."

Given under my hand and the privy seal of the State at the Capital in the city of Albany this twenty-second day
[L. S.] of April in the year of our Lord one thousand nine hundred and one.

B. B. ODELL, JR.

By the Governor:

JAS. G. GRAHAM,

Secretary to the Governor.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 103 }
 { NOES 00 }

Those who voted in the affirmative, were

Adams	Daly	Harris	McMillan	Rogers
Adler	Darrison	Hatch	Meister	Ross
Allds	Davis	Henry	Morgan	Ruehl
Allston	Delaney	Holsten	O'Brien	Sanders
Apgar	Dickey	Hyman	O'Connell	Scanlon
Axtell	Dooling	Irwin	O'Malley	Seymour
Babcock	Doughty	Juengst	Orr	Smith A R
Baker	Duross	Kaiser	Patton	Smith J E
Baum	Dusinbery	Keenan	Phillips	Smith J L
Bedell	Ellis	Kelly	Plank	Smith S W
Bell	Fancher	Kelsey	Platt	Smith W H
Bennet	Fisher	Landon	Poth	Stevens
Blackwell	Fitzpatrick	Leggett	Price	Swarts
Bradley	Fowler	Lewis M E	Prince	Traub
Brill	Frisbie	Lewis T D	Reilley	Ulmann
Brooks	Galbraith	Lynn	Remsen	Vacheron
Burnett	Gardiner R	Mains	Richter	Waite
Cook	Gardner C J	Marson	Rierdon	Walrath
Cooley	Geoghan	Mathews	Roberts	Weber
Costello	Graeff	McInerney	Rodenbeck	Weekes
Coughtry	Hallock	McKeown		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate returned the bill (No. 1197, Senate reprint No. 1524) entitled "An act to amend chapter 220 of the Laws of 1897, entitled 'An act to provide for the acquisition of land in the territory embraced in the Adirondack park, and making an appropriation therefor' in relation to the purchase of lands therein" (Int. No. 982), with a message that they have concurred in the passage of the same with the following amendment:

Strike out all after the enacting clause and insert the following:

Section 1. Section seven of chapter two hundred and twenty of the laws of eighteen hundred and ninety-seven, entitled, "An

act to provide for the acquisition of land in the territory embraced in the Adirondack park, and making an appropriation therefor," is hereby amended to read as follows:

§ 7. The owner of land to be taken under this act may at his option within the limitations hereinafter prescribed, reserve the spruce timber thereon ten inches or more in diameter at a height of three feet above the ground. Such option must be exercised within six months after the service upon him of a notice of the appropriation of such land by the Forest preserve board, by serving upon such board a written notice that he elects to reserve the spruce timber thereon. If such a notice be not served by the owner within the time above specified he shall be deemed to have waived his right to such reservation and such timber shall thereupon become and be the property of the state. [In case land is acquired by purchase, the spruce timber and no other may be reserved by agreement between the board and the owner, subject to all the provisions of this act in relation to timber reserved after an appropriation of land by the Forest preserve board.] Land acquired by purchase may be taken subject to the reservation of the soft timber thereon down to eight inches in diameter on the stump with the right to remove the same, or subject to any lease, mortgage, or other encumbrance not extending ten years beyond date of purchase upon agreement between the board and the owner. The amount or value of any such lien, encumbrance or timber right upon land so purchased, shall be deducted from the purchase price thereof. The presentation of a claim to the court of claims before the service of a notice of reservation, shall be deemed a waiver of the right to such reservation.

§ 2. This act shall take effect immediately.

Mr. Harris moved to concur in the Senate amendment thereto.

Mr. Speaker put the question whether the House would concur in said amendment, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present:

{ AYES 104 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Coughtry	Geoghan	Mains	Rogers
Adler	Darrison	Graeff	Mansfield	Ross
Ahern	Davis	Hallock	Marson	Salverds
Allds	DeGraw	Hammond	McInerney	Scanlon
Allston	Delaney	Hanford	McKeown	Schneider

Apgar	Dempsey	Harris	McMillan	Sherer
Axtell	Dickey	Hatch	Meister	Smith A R
Baker	Dooling	Hawkins	Nye	Smith J L
Bedell	Doughty	Henry	O'Brien	Smith S W
Bell	Duross	Hitchcock	O'Connell	Smith W H
Bennet	Dusinbery	Holsten	Orr	Stevens
Bradley	Egan	Hyman	Phillips	Sullivan
Brooks	Everett	Juengst	Phipps	Swift
Bruckner	Fancher	Kaiser	Platt	Traub
Burnett	Fisher	Keenan	Poth	Ulmann
Burns	Fitzgerald	Kelly	Patton	Vacheron
Cadin	Fitzpatrick	Kelsey	Rainey	Waite
Conger	Fowler	Knipp	Remsen	Walrath
Cooley	Frisbie	Leggett	Richter	Weekes
Coons	Gardiner R	Lewis M E	Rierdon	Wilson H
Costello	Gardner C J	Lewis T D	Robinson	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendment of the Senate thereto.

The Senate returned the bill (No. 1102, Senate reprint No. 1586) entitled "An act to amend chapter 182 of the Laws of 1898, entitled 'An act for the government of cities of the second class,' in relation to appointment of police court attendants" (Int. No. 933), with a message that they have concurred in the passage of the same with the following amendments:

Pages 2 and 3, beginning at the words "with the," at end of line strike out balance of section and insert the following:

"The police justice may appoint, and at pleasure remove, a police court attendant, who shall perform such services as may be required of him by the police justice, and shall be subject to the order and control of said justice and of no other person. He shall be in the exempt class of the civil service, and shall receive not less than the salary of a detective or detective sergeant, to be fixed by the board of estimate and apportionment. The police justice may appoint a member of the police department to said position, and in such case said appointee shall be paid upon the certificate of the police justice, from the same fund as other police officers, and when he shall retire from office he shall be reassigned to duty by the chief of police to the rank from which he came."

Amend the title to read as follows:

"An act to amend chapter one hundred and eighty-two of the laws of eighteen hundred and ninety-eight, entitled 'An act for the government of cities of the second class', in relation to appointment of police court attendants."

Mr. Rodenbeck moved to concur in the Senate amendments thereto.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 105 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Daly	Harris	McKeown	Rogers
Adler	Darrison	Hatch	McMillan	Ruehl
Ahern	DeGraw	Hawkins	McQuade	Sanders
Allds	Delaney	Hitchcock	Morgan	Schneider
Apgar	Dickey	Honeck	Nye	Seymour
Axtell	Dooling	Hyman	O'Brien	Sherer
Baker	Duross	Juengst	O'Connell	Smith J E
Baum	Egan	Kaiser	O'Malley	Smith J L
Bell	Ellis	Keenan	Orr	Smith S W
Blackwell	Fancher	Kelly	Phillips	Smith W H
Bradley	Fish	Kelsey	Phipps	Stevens
Brill	Fitzgerald	Knipp	Plank	Swarts
Brooks	Fitzpatrick	Landon	Poth	Swift
Bryan	Fowler	Leggett	Price	Traub
Burnett	Galbraith	Lewis M E	Prince	Ulmann
Cadin	Gardner C J	Lewis T D	Reilley	Van Name
Conger	Graeff	Mains	Remsen	Waite
Cook	Griffith	Mansfield	Richter	Walrath
Coons	Halpin	Marson	Rider	Weber
Cotton	Hammond	Mathews	Rierdon	Weekes
Coughtry	Harburger	McInerney	Robinson	Wilson H

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the Senate bill (No. 1341) entitled "An act to amend the Greater New York charter, chapter 378 of the Laws of 1897, entitled 'An act to unite into one municipality under the corporate name of the city of New York, the various communities lying in and about New York harbor, including the city and county of New York, the city of Brooklyn and the county of

Kings, the county of Richmond and part of the county of Queens, and to provide for the government thereof" (Rec. No. 363), with a message that said bill was duly passed by the Senate and Assembly, and was transmitted to the mayor of the city of New York, for a public hearing in said city, as provided by law, and was returned by said mayor with a message that said bill, after a public hearing thereon, had not been accepted by the city nor by the mayor. Said bill was thereafter and on this day again duly passed, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, the President stating the question to be, "Shall this bill pass notwithstanding the objection of the mayor and the legislative body of the city of New York thereto?"

Mr. Speaker stated the question to be, "Shall this bill pass notwithstanding the objection of the mayor of the city of New York thereto?" and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

{ AYES 98 }
{ NOES 47 }

Those who voted in the affirmative, were

Adams	Cooley	Gardner C J	McMillan	Ross
Adler	Coons	Graeff	McQuade	Ruehl
Ahern	Costello	Griffith	Morgan	Salyerds
Allds	Cotton	Hallock	Nye	Schneider
Allston	Coughtry	Hammond	O'Brien	Seymour
Apgar	Darrison	Hanford	O'Malley	Sherer
Axtell	Davis	Harris	Orr	Smith A R
Babcock	DeGraw	Hatch	Patton	Smith J L
Baker	Dickinson	Henry	Phillips	Smith J T
Bedell	Doughty	Hitchcock	Phipps	Smith S W
Bell	Dusinbery	Irwin	Plank	Smith W H
Bennet	Ellis	Kelsey	Platt	Stevens
Brill	Everett	Knipp	Price	Swarts
Brooks	Fancher	Landon	Remsen	Swift
Bruckner	Fish	Leggett	Reynolds	Thorn
Bryan	Fisher	Lewis M E	Roberts	Traub
Burnett	Fordyce	Lewis T D	Robinson	Treat

Cadin	Fowler	Mains	Rodenbeck	Walrath
Conger	Galbraith	Mansfield	Rogers	Weber
Cook	Gardiner R	Marson		

Those who voted in the negative, were

Baum	Egan	Honeck	McKeown	Rierdon
Blackwell	Fitzgerald	Hyman	Meister	Sanders
Bradley	Fitzpatrick	Juengst	O'Connell	Scanlon
Burns	Frisbie	Kaiser	Poth	Smith J E
Daly	Geoghan	Keenan	Prince	Snyder
Delaney	Halpin	Kelly	Rainey	Sullivan
Dempsey	Harburger	Lynn	Reilley	Ulmann
Dickey	Hasenflug	Mathews	Richter	Van Name
Dooling	Hawkins	McInerney	Rider	Wilson H
Duross	Holsten			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

A communication was received from Hon. Robert A. Van Wyck, mayor of the city of New York, returning Assembly bill No. 2089, entitled "An act for the relief of Port Richmond engine company No. 3 in the borough of Richmond in the city of New York" (Int. No. 1465), with a message that said mayor, after a public hearing thereon, does not approve said bill and does not accept the same.

Mr. Speaker stated the question to be, "Shall this bill pass notwithstanding the objection of the mayor of the city of New York thereto?" and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

{ AYES 99 }
{ NOES 42 }

Those who voted in the affirmative, were

Adams	Cotton	Hanford	O'Malley	Sherer
Adler	Coughtry	Harris	Orr	Smith A R
Ahern	Davis	Hatch	Patton	Smith J L
Allds	DeGraw	Henry	Phillips	Smith J T

Allston	Dickinson	Hitchcock	Phipps	Smith S W
Apgar	Doughty	Irwin	Plank	Smith W H
Axtell	Dusinbery	Kelsey	Platt	Snyder
Babcock	Ellis	Knipp	Price	Stevens
Baker	Everett	Landon	Rainey	Swarts
Bell	Fancher	Leggett	Remsen	Swift
Bennet	Fish	Lewis M E	Reynolds	Thorn
Blackwell	Fisher	Lewis T D	Roberts	Traub
Brill	Fordyce	Mains	Robinson	Treat
Brooks	Fowler	Mansfield	Rodenbeck	Vacheron
Bryan	Galbraith	Marson	Rogers	Van Name
Burnett	Gardiner R	McMillan	Ross	Waite
Conger	Gardner C J	McQuade	Ruehl	Walrath
Cook	Griffith	Morgan	Salyerds	Weber
Cooley	Hallock	Nye	Schneider	Weekes
Costello	Hammond	O'Brien	Seymour	

Those who voted in the negative, were

Baum	Duross	Hawkins	Lynn	Richter
Bradley	Egan	Holsten	Mathews	Rider
Bruckner	Fitzgerald	Honeck	McInerney	Rierdon
Burns	Fitzpatrick	Hyman	McKeown	Sanders
Daly	Frisbie	Juengst	Meister	Scanlon
Delaney	Geoghan	Kaiser	O'Connell	Smith J E
Dempsey	Halpin	Keenan	Poth	Sullivan
Dickey	Harburger	Kelly	Prince	Ulmann
Dooling	Hasenflug			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

A communication was received from Hon. Robert A. Van Wyck, mayor of the city of New York, returning Assembly bill No. 1677, entitled "An act to authorize the city of New York to pay the fair and reasonable value of public lighting actually furnished by Queens Borough Electric Light and Power Company" (Int. No. 1088), with a message that said mayor, and the common council of said city, after a public hearing thereon, do not approve said bill and do not accept the same.

Mr. Speaker stated the question to be, "Shall this bill pass notwithstanding the objection of the mayor of the city of New York thereto?" and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, said bill having been

printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

{ AYES 99 }
{ NOES 44 }

Those who voted in the affirmative, were

Adams	Coons	Graeff	Morgan	Schneider
Adler	Costello	Griffith	Nye	Seymour
Ahern	Cotton	Hallock	O'Brien	Sherer
Allds	Coughtry	Hammond	O'Malley	Smith A R
Allston	Darrison	Hanford	Orr	Smith J L
Apgar	Davis	Harris	Phillips	Smith J T
Axtell	DeGraw	Hatch	Phipps	Smith S W
Babcock	Dickinson	Henry	Plank	Smith W H
Baker	Doughty	Hitchcock	Platt	Snyder
Bedell	Dusinbery	Irwin	Price	Swarts
Bell	Ellis	Kelsey	Rainey	Swift
Bennet	Everett	Knipp	Remsen	Thorn
Blackwell	Fancher	Landon	Reynolds	Traub
Brill	Fish	Leggett	Roberts	Treat
Brooks	Fisher	Lewis T D	Robinson	Vacheron
Bryan	Fordyce	Mains	Rodenbeck	Waite
Burnett	Fowler	Mansfield	Rogers	Walrath
Cadin	Galbraith	Marson	Ross	Weber
Cook	Gardiner R	McMillan	Ruehl	Weekes
Cooley	Gardner C J	McQuade	Salyerds	

Those who voted in the negative, were

Baum	Duross	Hawkins	Mathews	Rider
Bradley	Egan	Holsten	McInerney	Rierdon
Bruckner	Fitzgerald	Honeck	McKeown	Sanders
Burns	Fitzpatrick	Hyman	Meister	Scanlon
Daly	Frisbie	Juengst	O'Connell	Smith J E
Delaney	Geoghan	Kaiser	Poth	Sullivan
Dempsey	Halpin	Keenan	Prince	Ulmann
Dickey	Harburger	Kelly	Reilley	Van Name
Dooling	Hasenflug	Lynn	Richter	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

A communication was received from Hon. Henry Calhoun, acting mayor of the city of Watervliet, returning Assembly bill No. 1115, entitled "An act to provide for a board of water commis-

sioners in the city of Watervliet and a proper supply of water for public purposes for said city " (Int. No. 403), with a message that said mayor, and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the bill (No. 1777) entitled "An act to amend the charter of the city of New Rochelle, providing for the election of a comptroller, etc." (Int. No. 1119), with a message that said bill was again duly passed, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, the President stating the question to be, "Shall this bill pass, notwithstanding the objection of the mayor and the legislative body of the city of New Rochelle thereto."

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the bill (No. 1797) entitled "An act to amend the Civil Service Law, in relation to the exempt class" (Int. No. 940), with a message that said bill was again duly passed, a majority of all the Senators elected voting in favor thereof, and three-fifths being present, the President stating the question to be, "Shall this bill pass, notwithstanding the objection of the mayor of the city of New York thereto."

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the following entitled bills, with a message that they have reconsidered the vote by which said bills were passed, and as amended have again passed the same:

"An act to amend chapter 336 of the Laws of 1899, entitled 'An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claims of the several counties containing towns, villages or cities bonded to aid in the construction of any railroad passing through such towns, villages or cities, on account of the payment to the State of the State taxes collected from such railroads within such bonded towns, villages or cities,' in relation to the disposition of money awarded, and the time for presenting claims." (No. 2575, Int. No. 809.)

Ordered, That the Clerk deliver said bill to the Governor.

"An act to amend chapter 322 of the Laws of 1850, entitled 'An act to incorporate the fire department of the village of Watertown,' in relation to the officers of the department, the

powers of the directors, and changing the name thereof." (No. 2577, Int. No. 1172.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Watertown.

The Senate returned the following entitled bills, with a message that they have concurred in the passage of the same without amendment:

"An act to amend the Code of Civil Procedure, relating to the city court of the city of New York." (No. 1714, Int. No. 275.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

"An act to acquire land and property and to authorize the city of New York to maintain the Hamilton Grange as a memorial building in honor of Alexander Hamilton." (No. 2574, Int. No. 1694.)

"An act empowering and directing the superintendent of public works to remove the obstruction, gravel, sand, etc., from the bed of Bond's creek south of Dunham's waste-weir to Fort Edward, and to remove obstructions, gravel, sand, etc., from Wood creek from Fort Ann to plank road leading west from Dunham's basin, Washington county, N. Y., where needed." (No. 2117, Int. No. 1471.)

"An act to amend the Tax Law, in relation to the taxation of public franchises as real property." (No. 1245, Int. No. 1008.)

"An act to amend the Forest, Fish and Game Law, relating to actions for fires." (No. 2190, Int. No. 1512.)

"An act to authorize the building of an extension of a dyke for the protection of property adjacent to the Chemung river in the town of Corning, in the county of Steuben, and making an appropriation therefor." (No. 385, Int. No. 370.)

"An act to amend chapter 466 of the Laws of 1866, entitled 'An act in regard to normal schools,' in relation to officers of local boards and their compensation." (No. 2422, Int. No. 1620.)

"Concurrent resolution, proposing an amendment to section 18 of article 3 of the Constitution, relating to exemptions of real and personal property from taxation." (No. 1488, Int. No. 843.)

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the following entitled Senate bills, with

a message that they have concurred in the amendments of the Assembly made thereto:

“An act to amend the Business Corporations Law, relating to the number of directors and to the subscribers of the certificate of incorporation.” (No. 1427, Assembly reprint No. 2569, Rec. No. 440.)

“An act to amend the Forest, Fish and Game Law, relating to forest fires.” (No. 881, Assembly reprint No. 2545, Rec. No. 242.)

Ordered, That the Clerk return said bills to the Senate.

The Senate returned the following entitled bills, with a message that they have concurred in the passage of the same without amendment:

“An act making an appropriation for the construction of a new steel bridge over the Champlain canal, at Fulton street, in the town of Waterford, N. Y.” (No. 490, Int. No. 457.)

“An act to amend chapter 6 of the general laws, known as the Election Law.” (No 2579, Int. No. 1695.)

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the following entitled Senate bills, with a message that they have concurred in the amendments of the Assembly made thereto:

“An act to amend section 82 of chapter 683 of the Laws of 1892, known as the Executive Law, with respect to notaries public acting in more than one county.” (No. 506, Assembly reprint No. 2340, Rec. No. 46.)

“An act to authorize the city of Watertown to receive a donation for and to establish and maintain ‘The Roswell P. Flower Memorial Library,’ as a free public library in and for said city.” (No. 1474, Assembly reprint No. 2543, Rec. No. 438.)

“An act to provide for rebinding, recopying and transcribing certain books and records in the office of the clerk of the county of Queens.” (No. 761, Assembly reprint No. 2570, Rec. No. 408.)

Ordered, That the Clerk return said bills to the Senate.

The Senate returned the bill (No. 2398) entitled “An act making an appropriation for continuing the acquisition of land in the Adirondack park and for the extension of the forest preserve in the counties of Delaware, Greene, Sullivan and Ulster” (Int.

No. 1383), with a message that they have concurred in the passage of the same without amendment.

The Senate returned the Senate bill (No. 1200, Assembly reprint No. 2530) entitled "An act to lay out, establish, build and maintain a causeway, bridge or viaduct for use as a public street across the Jerome Park reservoir, from Jerome avenue to Sedgwick avenue, in the city of New York" (Rec. No. 328), with a message that they have concurred in the amendments of the Assembly made thereto.

Ordered, That the Clerk return said bill to the Senate.

On motion of Mr. Allds, the House adjourned to meet to-morrow morning at 10 o'clock.

TUESDAY, APRIL 23, 1901.

The House met pursuant to adjournment.

Prayer by Rev. Frederick N. Rutan.

On motion of Mr. Allds, the reading of the journal of yesterday was dispensed with and the same was approved.

The Senate sent for concurrence the bill (No. 533) entitled "An act to provide for the clearing out and deepening of the State reservoir known as Woodhall, in the county of Herkimer, and making an appropriation therefor" (Rec. No. 505), which was read the first time and referred to the committee on rules.

A petition was presented from several citizens requesting the enactment into law the exempting moneys paid and to be paid by fraternal beneficiary societies, orders or associations from seizure by any legal or equitable process to pay any debt or liability of any members, or any liability of such member beneficiary when such beneficiary is a relative of or any wise dependent upon such member; which was laid upon the table and ordered printed.

(See Document.)

Mr. Speaker presented the annual report of the State Racing Commission; which was laid upon the table and ordered printed.

(See Document.)

Also, the report of the State Comptroller of Expenditures on the Canals for the year 1901; which was laid upon the table and ordered printed.

(See Document.)

The privileges of the floor were granted to the members of the Royal Arcanum.

Mr. Speaker, from the committee on rules, to which was referred the following entitled bills, reported in favor of the passage of the same without amendment, and that the same be made special orders on second and third reading immediately.

Senate, "An act to authorize the construction of a wrought iron or steel bridge over the Erie canal west of the upper Mohawk aqueduct and for the construction of the approaches thereto, and making an appropriation therefor." (No. 998, Rec. No. 389.)

Senate, "An act making an appropriation for building a bridge over the Champlain canal connecting Burke avenue with Francis street in the village of Mechanicville." (No. 1607, Rec. No. 504.)

Senate, "An act to provide for dredging Scajaquada creek in the city of Buffalo." (No. 1157, Rec. No. 502.)

Senate, "An act in relation to the widening and improvement of Livingston street in the borough of Brooklyn, city of New York." (No. 1412, Rec. No. 489.)

Senate, "An act to amend the Forest, Fish and Game Law, relative to hounding deer." (No. 1111, Rec. No. 264.)

Senate, "An act to authorize the reconstruction of wrought iron or steel and removal of canal bridge No. 185 to a point one hundred and thirty-seven and five-tenths feet north of the south line of farm lot 98 in the town of Tonawanda, Erie county, New York, and making an appropriation therefor." (No. 626, Rec. No. 501.)

"An act to amend the Forest, Fish and Game Law, relative to penalties." (No. 1690, Int. No. 1261.)

"An act to amend the Greater New York charter, as amended by chapter 466 of the Laws of 1901, relative to the department of docks and ferries." (No. 2594, Int. No. 1696.)

"An act to amend the Greater New York charter, as amended by chapter 466 of the Laws of 1901, relative to the licenses of teaches." (No. 2595, Int. No. 1697.)

"An act to amend the Greater New York charter, as amended by chapter 466 of the Laws of 1901, relative to the police department." (No. 2592, Int. No. 1686.)

"An act to amend the Greater New York charter, as amended by chapter 466 of the Laws of 1901, relative to the department of docks and ferries." (No. 2593, Int. No. 1689.)

"An act to amend the Greater New York charter, as amended by chapter 466 of the Laws of 1901, relative to the department of docks and ferries." (No. 2590, Int. No. 1698.)

"An act to amend chapter 334 of the Laws of 1901, entitled 'An act in relation to tenement houses in cities of the first class,' in relation to the construction of buildings." (No. 2591, Int. No. 1671.)

"An act to amend the Greater New York charter, as amended by chapter 466 of the Laws of 1901, relative to the department of education." (No. 2588, Int. No. 1687.)

"An act to amend the Greater New York charter, as amended by chapter 466 of the Laws of 1901, relative to the board of city record." (No. 2589, Int. No. 1688.)

Senate, "An act to facilitate transportation connections with wharves, docks, and piers in the cities of this State." (No. 1597, Rec. No. 497.)

Senate, "An act to amend the State Finance Law, relating to the deposit of State moneys." (No. 1393, Rec. No. 407.)

Which report was agreed, and said bills ordered made special orders on second and third reading immediately.

Mr. Speaker announced the special order, being the Senate bill (No. 998) entitled "An act to authorize the construction of a wrought iron or steel bridge over the Erie canal west of the upper Mohawk aqueduct, and for the construction of the approaches thereto, and making an appropriation therefor." (Rec. No. 389.)

Said bill was read the second time.

On motion of Mr. McMillan, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{	AYES	90	}
{	NOES	00	}

Those who voted in the affirmative, were

Adams	Cooley	Hanford	McQuade	Sanders
Adler	Cotton	Harris	Morgan	Scanlon
Ahern	Daly	Hasenflug	O'Brien	Schneider
Allds	Davis	Hawkins	O'Malley	Sherer
Apgar	Delaney	Hitchcock	Patton	Smith A R
Babcock	Dickey	Honeck	Phillips	Smith J L
Baker	Dooling	Hyman	Plank	Smith S W
Baum	Dusinbery	Juengst	Platt	Smith W H
Bedell	Ellis	Kaiser	Poth	Stevens
Bell	Fancher	Keenan	Price	Swarts
Blackwell	Fish	Kelly	Rainey	Swift
Bradley	Fitzpatrick	Knipp	Reilly	Traub
Brill	Fowler	Landon	Reynolds	Treat
Bruckner	Frisbie	Lewis M E	Rider	Vacheron
Burnett	Gardner C J	Lynn	Rierdon	Waite
Burns	Graeff	Mansfield	Robinson	Walrath
Cadin	Hallock	Mathews	Rogers	Weekes
Conger	Halpin	McKeown	Ruehl	Wilson H

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1607) entitled "An act making an appropriation for building a bridge over the Champlain canal, connecting Burke avenue with Francis street, in the village of Mechanicville." (Rec. No. 504.)

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 90 {
{ NOES 00 {

Those who voted in the affirmative, were

Adams	Cotton	Halpin	McKeown	Ross
Adler	Daly	Hanford	McMillan	Salyerds
Ahern	Darrison	Harburger	Meister	Scanlon
Allston	Davis	Hasenflug	Nye	Seymour
Axtell	Delaney	Hawkins	O'Connell	Smith A R
Babcock	Dempsey	Henry	O'Malley	Smith J L
Baum	Dickinson	Holsten	Orr	Smith J T
Bell	Dooling	Honeck	Phillips	Smith W H
Bennet	Duross	Irwin	Plank	Stevens
Bradley	Egan	Juengst	Poth	Swarts
Brooks	Everett	Keenan	Prince	Traub
Bruckner	Fish	Kelly	Reilley	Treat
Bryan	Fitzgerald	Kelsey	Remsen	Ulmann
Burns	Fordyce	Landon	Richter	Vacheron
Conger	Frisbie	Lewis M E	Rider	Waite
Cook	Gardiner R	Lynn	Rierdon	Walrath
Coons	Geoghan	Mansfield	Robinson	Weekes
Costello	Griffith	Mathews	Rogers	Wilson H

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1157) entitled "An act to provide for dredging Scajaquada creek, in the city of Buffalo." (Rec. No. 502.)

Said bill was read the second time.

On motion of Mr. O'Malley, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 90 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Daly	Griffith	Mansfield	Robinson
Adler	Darrison	Halpin	McInerney	Rogers
Ahern	DeGraw	Hammond	McKeown	Ross
Allds	Dempsey	Harburger	McQuade	Salyerds
Apgar	Dickinson	Harris	Meister	Schneider
Axtell	Doughty	Hatch	Nye	Sherer
Baum	Dusinbery	Hawkins	O'Connell	Smith J E
Bedell	Egan	Hitchcock	Orr	Smith J T
Bell	Ellis	Holsten	Patton	Wilson W H
Bennet	Everett	Hyman	Phipps	Stevens
Bradley	Fish	Juengst	Plank	Swarts
Bruckner	Fisher	Kaiser	Platt	Thorn
Burnett	Fitzpatrick	Keenan	Poth	Treat
Burns	Fordyce	Kelly	Prince	Ulmann
Conger	Frisbie	Kelsey	Reilley	Van Name
Cooley	Galbraith	Landon	Reynolds	Walrath
Coons	Gardiner R	Lewis T D	Rider	Weekes
Cotton	Geoghan	Lynn	Roberts	Wilson H

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1412) entitled "An act in relation to the widening and improvement of Livingston street, in the borough of Brooklyn, city of New York." (Rec. No. 489.)

Said bill was read the second time.

On motion of Mr. H. Wilson, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 93 }
 { NOES 00 }

Those who voted in the affirmative were,

Adams	Daly	Halpin	McInerney	Ruehl
Adler	Davis	Hanford	McMillan	Salyerds
Ahern	DeGraw	Harris	Meister	Scanlon
Allds	Dempsey	Hasenflug	Nye	Seymour
Apgar	Dickinson	Hawkins	O'Brien	Smith A R
Axtell	Dooling	Hitchcock	O'Malley	Smith J E
Baker	Duross	Holsten	Patton	Smith J T
Bedell	Egan	Honeck	Phipps	Smith W H
Bell	Ellis	Irwin	Plank	Snyder
Blackwell	Fancher	Kaiser	Poth	Sullivan
Brill	Fish	Keenan	Prince	Swift
Brooks	Fitzgerald	Kelly	Rainey	Thorn
Bryan	Fordyce	Kelsey	Remsen	Ulmann
Burns	Fowler	Landon	Richter	Vacheron
Cadin	Galbraith	Lewis M E	Rider	Van Name
Cook	Gardiner R	Lewis T D	Roberts	Walrath
Coons	Geoghan	Mains	Rodenbeck	Weekes
Costello	Graeff	Mansfield	Ross	Wilson H
Coughtry	Hallock	Marson		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1111) entitled "An act to amend the Forest, Fish and Game Law, relative to hounding deer." (Rec. No. 264.)

Said bill was read the second time.

On motion of Mr. Axtell, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 106 }
 { NOES 4 }

Those who voted in the affirmative, were

Adams	Coughtry	Hanford	McKeown	Salyerds
Adler	Daly	Harris	McMillan	Sanders
Ahern	Darrison	Hasenflug	Meister	Schneider
Allds	DeGraw	Hatch	Morgan	Seymour
Allston	Delaney	Hawkins	O'Connell	Sherer
Apgar	Dickey	Henry	O'Malley	Smith J E
Babcock	Dooling	Holsten	Orr	Smith J L
Baker	Doughty	Hyman	Phillips	Smith S W
Baum	Duross	Juengst	Plank	Smith W H
Bedell	Egan	Kaiser	Platt	Snyder
Bell	Ellis	Keenan	Price	Stevens
Blackwell	Everett	Kelly	Prince	Swarts
Bradley	Fish	Kelsey	Rainey	Swift
Brill	Fitzgerald	Landon	Reilley	Traub
Bruckner	Fordyce	Leggett	Reynolds	Treat
Bryan	Frisbie	Lewis M E	Richter	Vacheron
Burnett	Gardiner R	Lynn	Rierdon	Van Name
Cadin	Geoghan	Mains	Roberts	Walrath
Conger	Hallock	Mansfield	Rodenbeck	Weber
Cook	Halpin	Mathews	Ross	Weekes
Cooley	Hammond	McInerney	Ruehl	Wilson H
Costello				

Those who voted in the negative, were

Dusinbery Graeff Hitchcock O'Brien

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 626) entitled "An act to authorize the reconstruction of wrought iron or steel and removal of canal bridge No. 185 to a point 137.5 feet north of the south line of farm lot 98 in the town of Tonawanda, Erie county, N. Y., and making an appropriation therefor." (Rec. No. 501.)

Said bill was read the second time.

On motion of Mr. O'Malley, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 87 }
 { NOES 00 }

Those who voted in the affirmative, were

Adams	Daly	Hanford	McInerney	Ruehl
Adler	Davis	Harris	McKeown	Salyerds
Ahern	Delaney	Hasenflug	McQuade	Scanlon
Allston	Dickey	Hawkins	Morgan	Seymour
Axtell	Dooling	Henry	O'Brien	Smith A R
Baker	Doughty	Holsten	O'Connell	Smith J L
Bell	Duross	Hyman	Orr	Smith S W
Bedell	Egan	Irwin	Phillips	Snyder
Bennet	Ellis	Kaiser	Plank	Stevens
Blackwell	Fancher	Keenan	Platt	Thorn
Eradley	Fisher	Kelly	Poth	Treat
Brooks	Fitzpatrick	Knipp	Rainey	Ulmann
Bryan	Fowler	Leggett	Remsen	Van Name
Burns	Galbraith	Lewis M E	Richter	Waite
Conger	Gardner C J	Lynn	Rierdon	Weber
Cook	Geoghan	Mains	Robinson	Weekes
Cooley	Griffith	Marson	Rogers	Wilson H
Cotton	Halpin			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the bill (No. 1690) entitled "An act to amend the Forest, Fish and Game Law, relative to penalties." (Int. No. 1261.)

Said bill was read the second time.

On motion of Mr. Irwin, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 100 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Darrison	Harburger	McMillan	Salyerds
Adler	DeGraw	Harris	McQuade	Scanlon
Ahern	Delaney	Hatch	Meister	Schneider
Allston	Dickey	Hawkins	Nye	Sherer
Apgar	Dooling	Hitchcock	O'Brien	Smith J E
Axtell	Duross	Holsten	O'Malley	Smith J L
Babcock	Egan	Honeck	Patton	Smith S W
Baum	Everett	Irwin	Phipps	Snyder
Bedell	Fancher	Juengst	Plank	Stevens
Bell	Fisher	Kaiser	Poth	Swarts
Blackwell	Fitzpatrick	Keenan	Prince	Swift
Brill	Fordyce	Kelly	Rainey	Thorn
Brooks	Frisbie	Kelsey	Reilley	Treat
Bryan	Gardiner R	Landon	Reynolds	Ulmann
Burns	Gardner C J	Lewis M E	Richter	Vacheron
Cadin	Geoghan	Lewis T D	Rierdon	Waite
Cook	Graeff	Mains	Robinson	Walrath
Coons	Hallock	Mansfield	Rodenbeck	Weber
Cotton	Halpin	Mathews	Rogers	Weekes
Coughtry	Hammond	McInerney	Ruehl	Wilson H

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2594) entitled "An act to amend the Greater New York charter, as amended by chapter 466 of the Laws of 1901, relative to the department of docks and ferries." (Int. No. 1696.)

Said bill was read the second time.

On motion of Mr. Kelsey, said bill was placed on the order of third reading.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK—EXECUTIVE CHAMBER.

To the Legislature:

It appearing to my satisfaction that the public interest requires it;

Therefore, in accordance with the provisions of section fifteen of article three of the Constitution and by virtue of the authority

thereby conferred upon me, I do hereby certify to the necessity of the immediate passage of Assembly bill No. 2594, Int. No. 1696, entitled "An act to amend the Greater New York charter, as amended by chapter 466 of the Laws of 1901, relative to the department of docks and ferries."

Given under my hand and the privy seal of the State, at the Capitol, in the city of Albany, this twenty-second day
[L. S.] of April in the year of our Lord one thousand nine hundred and one.

B. B. ODELL, JR.

By the Governor:

JAS. G. GRAHAM,

Secretary to the Governor.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 111 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Costello	Griffith	McInerney	Ruehl
Adler	Coughtry	Hallock	McKeown	Salyerds
Ahern	Darrison	Hammond	McMillan	Sanders
Allds	Davis	Harburger	McQuade	Schneider
Allston	Delaney	Harris	Meister	Seymour
Apgar	Dempsey	Hatch	Nye	Sherer
Axtell	Dickey	Henry	O'Brien	Smith A R
Babcock	Dickinson	Hitchcock	O'Malley	Smith J L
Baker	Doughty	Honeck	Patton	Smith J T
Bedell	Duross	Hyman	Phillips	Smith S W
Bennet	Egan	Juengst	Phipps	Snyder
Blackwell	Ellis	Kaiser	Platt	Stevens
Bradley	Everett	Keenan	Poth	Sullivan
Brill	Fancher	Kelly	Prince	Swift
Brooks	Fisher	Knipp	Rainey	Traub
Bruckner	Fitzgerald	Landon	Remsen	Treat
Bryan	Fitzpatrick	Leggett	Reynolds	Vacheron
Burnett	Fowler	Lewis M E	Rider	Van Name
Burns	Frisbie	Lynn	Roberts	Waite

Cadin	Gardiner R	Mains	Rodenbeck	Weber
Conger	Gardner CJ	Mansfield	Rogers	Wilson H
Cook	Graeff	Mathews	Ross	Weekes
Cooley				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2595) entitled "An act to amend the Greater New York charter, as amended by chapter 466 of the Laws of 1901, relative to the licenses of teachers." (Int. No. 1697.)

Said bill having been announced for a second reading,

Mr. Dooling moved to amend as follows:

Strike out on page 4, commencing on line 2, the following:

"Graduates of colleges and universities recognized by the regents of the university of the state of New York, who have pursued for not less than one year pedagogical courses satisfactory to the city superintendent; graduates of schools and colleges for the training of teachers approved by the state superintendent of public instruction; and teachers holding a state certificate issued by the same authority, or persons who on the first Monday of February, nineteen hundred and two, shall be associate borough superintendents of schools in any borough of the city of New York, may be exempted, in whole or in part, from such examination at the discretion of the city superintendent."

Mr. Speaker put the question whether the House would agree to said motion of Mr. Dooling, and it was determined in the negative.

Said bill was read the second time.

On motion of Mr. Kelsey, said bill was placed on the order of third reading.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK—EXECUTIVE CHAMBER.

To the Legislature:

It appearing to my satisfaction that the public interest requires it;

Therefore, in accordance with the provisions of section fifteen of article three of the Constitution and by virtue of the authority thereby conferred upon me, I do hereby certify to the necessity of the immediate passage of Assembly bill No. 2595, Int. No.

1697, entitled "An act to amend the Greater New York charter, as amended by chapter 466 of the Laws of 1901, relative to the licenses of teachers."

Given under my hand and the privy seal of the State, at the Capitol, in the city of Albany, this twenty-second day [L. S.] of April in the year of our Lord one thousand nine hundred and one.

B. B. ODELL, JR.

By the Governor:

JAS. G. GRAHAM,

Secretary to the Governor.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 101 }
{ NOES 3 }

Those who voted in the affirmative, were

Adams	Darrison	Harris	McQuade	Scanlon
Adler	Davis	Hasenflug	Meister	Schneider
Allds	Delaney	Hawkins	Nye	Seymour
Allston	Dickey	Hitchcock	O'Brien	Sherer
Apgar	Dickinson	Holsten	O'Malley	Smith A R
Axtell	Doughty	Irwin	Orr	Smith J E
Baker	Duross	Juengst	Phillips	Smith J T
Baum	Dusinbery	Kaiser	Plank	Smith S W
Bell	Egan	Keenan	Platt	Smith W H
Bennet	Everett	Kelly	Poth	Snyder
Blackwell	Fish	Kelsey	Prince	Sullivan
Brill	Fitzgerald	Knipp	Reilley	Swarts
Brooks	Fordyce	Landon	Remsen	Thorn
Bryan	Fowler	Lewis M E	Richter	Traub
Burnett	Galbraith	Lewis T D	Rider	Ulmann
Burns	Gardner C J	Mains	Roberts	Van Name
Conger	Geoghan	Mansfield	Rodenbeck	Waite
Cook	Griffith	Mathews	Rogers	Weber
Coons	Halpin	McInerney	Ruehl	Weekes
Costello	Hanford	McKeown	Salyerds	Wilson H
Coughtry				

Those who voted in the negative, were

Dooling Hyman Rierdon

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2592) entitled "An act to amend the Greater New York charter, as amended by chapter 466 of the Laws of 1901, relative to the police department." (Int. No. 1686.)

Said bill having been announced for a second reading,

Mr. Dooling moved to amend as follows:

Page 2, line 10, strike out the word "October" and insert the word "April," and after the word "hundred" insert the word "one."

Mr. Speaker put the question whether the House would agree to said motion of Mr. Dooling, and it was determined in the negative.

Said bill was read the second time.

One motion of Mr. Kelsey, said bill was placed on the order of third reading.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK—EXECUTIVE CHAMBER.

To the Legislature:

It appearing to my satisfaction that the public interest requires it;

Therefore, in accordance with the provisions of section fifteen of article three of the Constitution, and by virtue of the authority thereby conferred upon me, I do hereby certify to the necessity of the immediate passage of Assembly bill No. 2592, Int. No. 1686, entitled "An act to amend the Greater New York charter, as amended by chapter 466 of the Laws of 1901, relative to the police department."

Given under my hand and the privy seal of the State, at the Capitol, in the city of Albany, this twenty-second day
[L. s.] of April, in the year of our Lord one thousand nine hundred and one.

B. B. ODELL, JR.

By the Governor:

JAS. G. GRAHAM,

Secretary to the Governor.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 105 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Cooley	Gardner C J	Mathews	Rogers
Adler	Costello	Graeff	McKeown	Ross
Ahern	Cotton	Hallock	McMillan	Ruehl
Allds	Coughtry	Halpin	McQuade	Salyerds
Allston	Darrison	Hanford	Meister	Scanlon
Apgar	DeGraw	Harris	Nye	Schneider
Axtell	Delaney	Hawkins	O'Connell	Sherer
Babcock	Dickey	Henry	O'Malley	Smith J E
Baker	Dickinson	Hitchcock	Patton	Smith J L
Baum	Doughty	Honeck	Phipps	Smith J T
Bedell	Duross	Hyman	Plank	Smith W H
Bennet	Dusinbery	Irwin	Poth	Stevens
Blackwell	Egan	Kaiser	Prince	Sullivan
Bradley	Everett	Keenan	Rainey	Swift
Brill	Fancher	Kelsey	Reilley	Traub
Brooks	Fisher	Knipp	Remsen	Ulmann
Bruckner	Fitzgerald	Landon	Richter	Van Name
Bryan	Fitzpatrick	Leggett	Rider	Waite
Burnett	Fordyce	Lewis T D	Rierdon	Weber
Cadin	Frisbie	Mains	Roberts	Weekes
Conger	Galbraith	Marson	Rodenbeck	Wilson H

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2593) entitled "An act to amend the Greater New York charter, as amended by chapter 466 of the Laws of 1901, relative to the department of docks and ferries." (Int. No. 1689.)

Said bill was read the second time.

On motion of Mr. Kelsey, said bill was placed on the order of third reading.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK—EXECUTIVE CHAMBER,

To the Legislature:

It appearing to my satisfaction that the public interest requires it;

Therefore, in accordance with the provisions of section fifteen of article three of the Constitution, and by virtue of the authority thereby conferred upon me, I do hereby certify to the necessity of the immediate passage of Assembly bill No. 2593, Int. No. 1689, entitled "An act to amend the Greater New York charter, as amended by chapter 466 of the laws of 1901, relative to the department of docks and ferries."

Given under my hand and the privy seal of the State, at the Capitol, in the city of Albany, this twenty-second day
[L. S.] of April, in the year of our Lord one thousand nine hundred and one.

B. B. ODELL, JR.

By the Governor:

JAS. G. GRAHAM,

Secretary to the Governor.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 97 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Coughtry	Hawkins	Morgan	Sanders
Adler	Darrison	Hitchcock	Nye	Schneider
Ahern	Davis	Honeck	O'Connell	Sherer
Allds	Delaney	Hyman	O'Malley	Smith A R
Allston	Dickey	Juengst	Patton	Smith J L
Apgar	Dooling	Kaiser	Phillips	Smith J T
Babcock	Duross	Keenan	Plank	Smith W H
Baker	Dusinbery	Kelly	Platt	Snyder
Bedell	Ellis	Kelsey	Price	Sullivan
Bennet	Fancher	Knipp	Prince	Swarts
Blackwell	Fisher	Leggett	Reilley	Swift
Bradley	Fitzpatrick	Lewis M E	Reynolds	Thorn
Brill	Fowler	Lewis T D	Richter	Traub
Brooks	Galbraith	Mains	Rider	Ulmann
Bryan	Gardner C J	Mansfield	Roberts	Vacheron

Burnett	Graeff	Mathews	Rodenbeck	Van Name
Cadin	Halpin	McInerney	Ross	Walrath
Cook	Hanford	McKeown	Ruehl	Weekes
Cooley	Harris	McQuade	Salyerds	Wilson H
Cotton	Hasenflug			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2590) entitled "An act to amend the Greater New York charter, as amended by chapter 466 of the Laws of 1901, relative to the department of docks and ferries." (Int. No. 1698.)

Said bill was read the second time.

On motion of Mr. Kelsey, said bill was placed on the order of third reading.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK—EXECUTIVE CHAMBER.

To the Legislature:

It appearing to my satisfaction that the public interest requires it;

Therefore, in accordance with the provisions of section fifteen of article three of the Constitution, and by virtue of the authority thereby conferred upon me, I do hereby certify to the necessity of the immediate passage of Assembly bill No. 2590, Int. No. 1698, entitled "An act to amend the Greater New York charter, as amended by chapter 466 of the Laws of 1901, relative to the department of docks and ferries."

Given under my hand and the privy seal of the State, at the Capitol, in the city of Albany, this twenty-second day
[L. S.] of April, in the year of our Lord one thousand nine hundred and one.

B. B. ODELL, JR.

By the Governor:

JAS. G. GRAHAM.

Secretary to the Governor.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{	AYES	100	}
	NOES	00	

Those who voted in the affirmative, were

Adams	Darrison	Hasenflug	McKeown	Ross
Adler	DeGraw	Hawkins	McMillan	Salyerds
Ahern	Dempsey	Henry	McQuade	Scanlon
Allds	Dickinson	Holsten	Meister	Schneider
Apgar	Doughty	Honeck	Nye	Sherer
Axtell	Duross	Irwin	O'Brien	Smith A R
Baker	Dusinbery	Juengst	O'Malley	Smith J L
Baum	Egan	Kaiser	Orr	Smith J T
Bedell	Everett	Keenan	Phillips	Smith W H
Bennet	Fish	Kelly	Phipps	Snyder
Bradley	Fisher	Kelsey	Platt	Stevens
Brooks	Fitzpatrick	Knipp	Price	Swarts
Bryan	Fowler	Leggett	Prince	Swift
Burnett	Galbraith	Lewis M E	Reiley	Traub
Cadin	Gardiner R	Lynn	Remsen	Treat
Conger	Geoghan	Mains	Richter	Ulmann
Cooley	Griffith	Mansfield	Rider	Van Name
Coons	Hallock	Marson	Roberts	Walrath
Cotton	Hammond	Mathews	Robinson	Weber
Coughtry	Harburger	McInerney	Rogers	Wilson H

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2591) entitled "An act to amend chapter 334 of the Laws of 1901, entitled 'An act in relation to tenement houses in cities of the first class,' in relation to the construction of buildings." (Int. No. 1671.)

Said bill was read the second time.

On motion of Mr. Kelsey, said bill was placed on the order of third reading.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK—EXECUTIVE CHAMBER,

To the Legislature:

It appearing to my satisfaction that the public interest requires it;

Therefore, in accordance with the provisions of section fifteen of article three of the Constitution, and by virtue of the authority thereby conferred upon me, I do hereby certify to the necessity of the immediate passage of Assembly bill No. 2591, Int. No. 1671, entitled "An act to amend chapter 334 of the Laws of 1901, en-

titled 'An act in relation to tenement houses in cities of the first class,' in relation to the construction of buildings," as amended.

Given under my hand and the privy seal of the State, at the Capitol, in the city of Albany, this twenty-second day
[L. s.] of April, in the year of our Lord one thousand nine hundred and one.

B. B. ODELL, JR.

By the Governor:

JAS. G. GRAHAM,

Secretary to the Governor.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 101 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	DeGraw	Harris	Meister	Sanders
Adler	Delaney	Hatch	Nye	Schneider
Allds	Dooling	Hitchcock	O'Brien	Sherer
Allston	Duross	Honeck	O'Malley	Smith A R
Apgar	Dusinbery	Hyman	Orr	Smith J L
Babcock	Egan	Juengst	Patton	Smith J T
Baker	Everett	Kaiser	Phillips	Smith W H
Bedell	Fancher	Keenan	Phipps	Snyder
Bell	Fish	Kelly	Platt	Sullivan
Blackwell	Fisher	Kelsey	Poth	Swarts
Bradley	Fitzgerald	Knipp	Prince	Thorn
Brill	Fitzpatrick	Leggett	Rainey	Treat
Brooks	Fowler	Lewis M E	Remsen	Ulmann
Bruckner	Galbraith	Lewis T D	Reynolds	Vacheron
Burnett	Gardiner R	Mains	Richter	Van Name
Burns	Graeff	Mansfield	Rierdon	Waite
Conger	Griffith	Marson	Roberts	Walrath
Cooley	Halpin	McInerney	Rodenbeck	Weber
Costello	Hanford	McKeown	Ross	Weekes
Coughtry	Harburger	McMillan	Ruehl	Wilson H
Darrison				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2588) entitled "An act to amend the Greater New York charter, as amended by chapter 466 of the Laws of 1901, relative to the Department of Education." (Int. No. 1687.)

Said bill was read the second time.

On motion of Mr. Kelsey, said bill was placed on the order of third reading.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK—EXECUTIVE CHAMBER.

To the Legislature:

It appearing to my satisfaction that the public interest requires it;

Therefore, in accordance with the provisions of section fifteen of article three of the Constitution, and by virtue of the authority thereby conferred upon me, I do hereby certify to the necessity of the immediate passage of Assembly bill No. 2588, Int. No. 1687, entitled "An act to amend the Greater New York charter, relative to the department of education," as amended by chapter 466 of the Laws of 1901.

Given under my hand and the privy seal of the State, at the Capitol, in the city of Albany, this twenty-second day
[L. s.] of April, in the year of our Lord one thousand nine hundred and one.

B. B. ODELL, JR.

By the Governor:

JAS. G. GRAHAM,

Secretary to the Governor.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 110 }
{ NOES 1 }

Those who voted in the affirmative, were

Adams	Coons	Hanford	McInerney	Ruehl
Adler	Cotton	Harris	McMillan	Sanders
Ahern	Coughtry	Hasenflug	McQuade	Scanlon

Allds	Darrison	Hawkins	Meister	Schneider
Allston	Davis	Hitchcock	Morgan	Seymour
Axtell	Delaney	Holsten	Nye	Sherer
Babcock	Dempsey	Hyman	O'Brien	Smith A R
Baker	Dickinson	Irwin	O'Malley	Smith J L
Baum	Doughty	Juengst	Patton	Smith S W
Bedell	Duross	Kaiser	Phillips	Smith W H
Bell	Dusinbery	Keenan	Phipps	Snyder
Bennet	Ellis	Kelly	Platt	Stevens
Blackwell	Everett	Kelsey	Poth	Sullivan
Bradley	Fish	Knipp	Price	Swarts
Brill	Fisher	Landon	Rainey	Thorn
Brooks	Fitzpatrick	Leggett	Reilley	Traub
Bryan	Fowler	Lewis M E	Reynolds	Ulmann
Burnett	Galbraith	Lewis T D	Rider	Vacheron
Burns	Gardner C J	Lynn	Roberts	Van Name
Cadin	Geoghan	Mains	Rodenbeck	Walrath
Conger	Griffith	Mansfield	Rogers	Weber
Cooley	Halpin	Mathews	Ross	Wilson H

In the negative,

Dooling

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2589) entitled "An act to amend the Greater New York charter, as amended by chapter 466 of the Laws of 1901, relative to the board of city record." (Int. No. 1688.)

Said bill was read the second time.

On motion of Mr. Kelsey, said bill was placed on the order of third reading.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK—EXECUTIVE CHAMBER.

To the Legislature:

It appearing to my satisfaction that the public interest requires it;

Therefore, in accordance with the provisions of section fifteen of article three of the Constitution, and by virtue of the authority thereby conferred upon me, I do hereby certify to the necessity of the immediate passage of Assembly bill No. 2589, Int. No. 1688, entitled "An act to amend the Greater New York charter, as

amended by chapter 466 of the Laws of 1901, relative to the board of city record."

Given under my hand and the privy seal of the State, at the Capitol, in the city of Albany, this twenty-second [L. s.] day of April, in the year of our Lord one thousand nine hundred and one.

B. B. ODELL, JR.

By the Governor:

JAS. G. GRAHAM,
Secretary to the Governor.

Said bill was than read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 100 }
{ NOES 00 }

Those who voted in the affirmative were,

Adams	Daly	Hammond	McKeown	Scanlon
Adler	Davis	Harburger	McQuade	Seymour
Ahern	Delaney	Harris	Meister	Sherer
Allds	Dempsey	Hatch	Nye	Smith J E
Apgar	Dickinson	Hawkins	O'Brien	Smith J L
Babcock	Doughty	Hitchcock	O'Malley	Smith S W
Baum	Dusinbery	Honeck	Orr	Smith W H
Bedell	Ellis	Irwin	Phillips	Snyder
Bennet	Fancher	Juengst	Plank	Sullivan
Blackwell	Fish	Kaiser	Platt	Swift
Bradley	Fitzgerald	Keenan	Price	Thorn
Brill	Fitzpatrick	Kelsey	Prince	Treat
Brocks	Fowler	Knipp	Reilly	Ulmann
Bruckner	Frisbie	Landon	Reynolds	Vacheron
Bennet	Galbraith	Lewis M E	Rider	Van Name
Cadin	Gardiner R	Lewis T D	Rierdon	Waite
Cook	Geoghan	Lynn	Robinson	Walrath
Cooley	Graeff	Mansfield	Rogers	Weber
Costello	Hallock	Mathews	Ruehl	Weekes
Coughtry	Halpin	McInerney	Salverds	Wilson H

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the Senate bill (No. 1597) entitled "An act to facilitate transportation connections with wharves, docks and piers in the cities of this State." (Rec. No. 497.)

Said bill having been announced for a second reading, Mr. Dooling moved to strike out all after the enacting clause.

Debate was had thereon, when

Mr. Allds moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the negative.

Further debate was had thereon, when

Mr. Dooling withdrew the motion to strike out.

Said bill was then read the second time.

On motion of Mr. Bedell, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 93 }
{ NOES 47 }

Those who voted in the affirmative, were

Adams	Darrison	Hasenflug	Mathews	Roberts
Adler	Delaney	Hatch	McInerney	Robinson
Allds	Doughty	Hawkins	McKeown	Rodenbeck
Apgar	Dusinbery	Hitchcock	McMillan	Rogers
Axtell	Egan	Holsten	Meister	Ruehl
Babcock	Ellis	Honeck	O'Connell	Salyerds
Baker	Fancher	Hyman	O'Malley	Sanders
Baum	Fish	Irwin	Orr	Scanlon
Bedell	Fitzpatrick	Juengst	Patton	Schneider
Bradley	Fordyce	Kaiser	Phillips	Sullivan
Brill	Fowler	Keenan	Platt	Swarts
Brooks	Galbraith	Kelly	Prince	Swift
Bryan	Gardiner R	Kelsey	Rainey	Thorn
Burnett	Geoghan	Knipp	Reilley	Traub
Burns	Graeff	Leggett	Remsen	Ulmann

Conger	Griffith	Lewis T D	Reynolds	Vacheron
Coons	Hallock	Lynn	Rider	Waite
Costello	Hammond	Mansfield	Rierdon	Weber
Coughtry	Hanford	Marson		

Those who voted in the negative were,

Ahern	Davis	Harris	Phipps	Smith J T
Bell	Dempsey	Henry	Plank	Smith S W
Bennet	Dickey	Landon	Poth	Smith W H
Blackwell	Dooling	Lewis M E	Price	Snyder
Bruckner	Duross	Mains	Richter	Stevens
Cadin	Everett	McQuade	Seymour	Treat
Cook	Fitzgerald	Morgan	Sherer	Van Name
Cooley	Frisbie	Nye	Smith A R	Weekes
Cotton	Halpin	O'Brien	Smith J E	Wilson H
Daly	Harburger			

Mr. Fitzgerald—I now raise a point of order. I would like to know if this bill does not require 100 votes?

Mr. Speaker—The Chair does not understand that it does.

Mr. Fitzgerald—And so make a ruling to that effect. I suggest that before the ruling is made the Chair be given an opportunity—

Mr. Speaker—The Chair would like to have an opportunity to examine the bill.

Mr. Fitzgerald—Then, Mr. Speaker, I would like at this time to enter my protest upon the journal—that this is a city bill.

The Speaker—The gentleman has that right. The chair will pass upon the point of order when it has had the bill examined.

Mr. Speaker (after an examination of the bill)—The Chair will hold upon the points of order raised by the gentleman from New York, first, that the same does not require 100 votes on its final passage, and second, that it is not a city bill under the Constitution.

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 1393) entitled "An act to amend the State Finance Law, relating to the deposit of State moneys." (Rec. No. 407.)

Said bill was then read the third time, having been printed

and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{	AYES	90	{
{	NOES	00	{

Those who voted in the affirmative were,

Adams	Daly	Hammond	Marson	Ruehl
Adler	Davis	Hanford	McInerney	Scanlon
Ahern	Delaney	Harris	McKeown	Seymour
Allds	Dickey	Hasenflug	McMillan	Smith A R
Allston	Dickinson	Hawkins	Meister	Smith J L
Axtell	Dooling	Henry	Nye	Smith S W
Baker	Doughty	Hitchcock	O'Connell	Smith W H
Baum	Duross	Holsten	Orr	Stevens
Bell	Egan	Hyman	Phillips	Swarts
Blackwell	Everett	Irwin	Plank	Swift
Brill	Fish	Juengst	Poth	Traub
Bruckner	Fitzgerald	Kaiser	Price	Ulmann
Burnett	Fordyce	Keenan	Rainey	Vacheron
Cadin	Frisbie	Kelly	Remsen	Waite
Conger	Gardiner R	Knipp	Richter	Walrath
Cooley	Gardner C J	Leggett	Rierdon	Weber
Coons	Graeff	Lewis T D	Robinson	Weekes
Cotton	Hallock	Mains	Rogers	Wilson H

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 878) entitled "An act for the relief of Beth Israel Hospital Association from taxes and water rents." (Rec. No. 228.)

On motion of Mr. Sanders, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 105 }
 } NOES 00 }

Those who voted in the affirmative, were

Adams	Coons	Frisbie	Knipp	Robinson
Adler	Costello	Gardiner R	Leggett	Rogers
Ahern	Coughtry	Gardner C J	Lewis M E	Ruehl
Allds	Daly	Geoghan	Lynn	Salyerds
Allston	Darrison	Griffith	Mains	Sanders
Apgar	DeGraw	Hallock	Marson	Schneider
Babcock	Delaney	Halpin	McInerney	Seymour
Baker	Dempsey	Hanford	McMillan	Smith A R
Baum	Dickinson	Harburger	McQuade	Smith J L
Bell	Deoling	Harris	Morgan	Smith S W
Bennet	Doughty	Hatch	O'Brien	Smith W H
Blackwell	Duross	Hawkins	O'Malley	Stevens
Bradley	Dusinbery	Hitchcock	Patton	Sullivan
Brill	Egan	Holsten	Phipps	Swarts
Brooks	Ellis	Hyman	Platt	Swift
Bryan	Everett	Irwin	Price	Traub
Burnett	Fancher	Juengst	Prince	Ulmann
Burns	Fisher	Kaiser	Reilley	Van Name
Cadin	Fitzgerald	Keenan	Reynolds	Waite
Conger	Fitzpatrick	Kelly	Richter	Weber
Cook	Fordyce	Kelsey	Rierdon	Wilson H

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker, from the committee on rules, to which was referred the following entitled Senate bills, reported in favor of the passage of the same without amendment, and that the same be made special orders on second and third reading immediately:

"An act providing for the appointment of referees by the justices of the appellate division of the Supreme Court for the first judicial department." (No. 1482, Rec. No. 476.)

"An act to provide for the clearing out and deepening of the State reservoir known as Woodhall in the county of Herkimer, and making an appropriation therefor." (No. 533, Rec. No. 505.)

Which report was agreed to, and said bills ordered made special orders on second and third reading immediately.

Mr. Speaker announced the special order, being the Senate bill (No. 1482) entitled "An act providing for the appointment of referees by justice of the Appellate Division of the Supreme Court for the first judicial department." (Int. No. 476.)

On motion of Mr. Allds, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

) AYES 82 }
) NOES 50 }

Those who voted in the affirmative, were

Adams	Costello	Hanford	O'Brien	Ruehl
Adler	Coughtry	Harris	O'Malley	Salyerds
Ahern	Darrison	Hatch	Orr	Schneider
Allds	Dickinson	Hitchcock	Patton	Smith A R
Allston	Doughty	Irwin	Phillips	Smith J L
Apgar	Dusinbery	Kelsey	Phipps	Smith S W
Axtell	Ellis	Knipp	Plank	Snyder
Babcock	Everett	Landon	Platt	Stevens
Baker	Fancher	Leggett	Price	Swarts
Bedell	Fisher	Lewis T D	Remsen	Swift
Bell	Fordyce	Mains	Reynolds	Thorn
Brill	Fowler	Mansfield	Roberts	Traub
Brooks	Galbraith	Marson	Robinson	Treat
Burnett	Gardiner R	McMillan	Rodenbeck	Vacheron
Cadin	Graeff	McQuade	Rogers	Walrath
Congen	Griffith	Nye	Ross	Weber
Coons	Hallock			

Those who voted in the negative, were

Baum	Daly	Frisbie	Juengst	Rider
Bennet	Davis	Geoghan	Kaiser	Rierdon
Blackwell	Delaney	Halpin	Keenan	Sanders
Bradley	Dempsey	Harburger	Kelly	Scanlon

Bruckner	Dickey	Hasenflug	McInerney	Seymour
Bryan	Dooling	Hawkins	Meister	Sherer
Burns	Duross	Henry	Morgan	Smith J E
Cook	Egan	Holsten	Prince	Smith W H
Cooley	Fitzgerald	Honeck	Reilley	Van Name
Cotton	Fitzpatrick	Hyman	Richter	Wilson H

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the Senate bill (No. 533) entitled "An act to provide for the clearing out and deepening of the State reservoir, known as Woodhull in the county of Herkimer, and making an appropriation therefor." (Rec. No. 505.)

On motion of Mr. Allds, said bill was read the second time and ordered to a third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 108 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Daly	Hasenflug	McMillan	Sanders
Adler	Davis	Hawkins	McQuade	Schneider
Ahern	Delaney	Hitchcock	Meister	Seymour
Allds	Dempsey	Holsten	Nye	Sherer
Allston	Dickinson	Hyman	O'Connell	Smith A R
Apgar	Dooling	Irwin	O'Malley	Smith J L
Axtell	Duross	Juengst	Orr	Smith J T
Babcock	Egan	Kaiser	Phillips	Smith W H
Baker	Ellis	Keenan	Phipps	Snyder
Baum	Everett	Kelly	Platt	Stevens
Bedell	Fish	Kelsey	Poth	Sullivan
Bell	Fisher	Knipp	Price	Swift
Bennet	Fitzgerald	Landon	Prince	Thorn
Bradley	Fitzpatrick	Leggett	Remsen	Treat

Brill	Frisbie	Lewis M E	Reynolds	Ulmann
Brooks	Galbraith	Lewis T D	Rider	Van Name
Bryan	Gardner C J	Lynn	Roberts	Waite
Burns	Graeff	Mains	Robinson	Walrath
Conger	Griffith	Mansfield	Rogers	Weber
Cooley	Halpin	Marson	Ross	Weekes
Coons	Hanford	McInerney	Salyerds	Wilson H
Coughtry	Harris	McKeown		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

By unanimous consent,

The committee on ways and means introduced a bill entitled "An act making an appropriation for certain expenses of government and supplying deficiencies in former appropriations" (No. 2601, Int. No. 1701), which was read the first time.

On motion of Mr. Allds, and by unanimous consent, said bill was read the second time and ordered to a third reading.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK—EXECUTIVE CHAMBER.

To the Legislature:

It appearing to my satisfaction that the public interest requires it;

Therefore, In accordance with the provisions of section 15 of article 3 of the Constitution, and by virtue of the authority thereby conferred upon me, I do hereby certify to the necessity of the immediate passage of Assembly bill No. 2601, Int. No. 1701, entitled "An act making appropriations for certain expenses of government and supplying deficiencies in former appropriations."

Given under my hand and the privy seal of the State, at the Capitol, in the city of Albany, this twenty-third day [L. S.] of April, in the year of our Lord one thousand nine hundred and one.

B. B. ODELL, JR.

By the Governor:

JAS. G. GRAHAM,

Secretary to the Governor.

On motion of Mr. Allds, and by unanimous consent, said bill was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 90 }
 { NOES 1 }

Those who voted in the affirmative, were

Adams	Darrison	Hasenflug	McQuade	Schneider
Adler	DeGraw	Hawkins	Meister	Seymour
Ahern	Dempsey	Hitchcock	Nye	Smith A R
Allston	Dickinson	Honeck	O'Malley	Smith J E
Axtell	Doughty	Hyman	Orr	Smith J L
Babcock	Egan	Juengst	Phillips	Smith J T
Baum	Everett	Kaiser	Phipps	Smith S W
Bell	Fish	Keenan	Platt	Smith W H
Blackwell	Fisher	Kelly	Poth	Snyder
Brill	Fitzpatrick	Kelsey	Prince	Sullivan
Bruckner	Fowler	Leggett	Rainey	Swift
Bryan	Galbraith	Lewis M E	Remsen	Thorn
Burnett	Gardiner R	Lewis T D	Rider	Treat
Cadin	Geoghan	Lynn	Rierdon	Vacheron
Conger	Griffith	Mains	Robinson	Waite
Cooley	Halpin	Marson	Rogers	Weber
Costello	Hanford	Mathews	Ruehl	Weekes
Coughtry	Harris	McKeown	Sanders	Wilson H

In the negative,

Duross

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

The committee on ways and means introduced a bill entitled "An act to provide ways and means for the support of government" (No. 2600, Int. No. 1700), which was read the first time.

On motion of Mr. Allds, and by unanimous consent, said bill was read the second time and ordered to a third reading.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK—EXECUTIVE CHAMBER.

To the Legislature:

It appearing to my satisfaction that the public interest requires it;

Therefore, In accordance with the provisions of section 15 of article 3 of the Constitution, and by virtue of the authority thereby conferred upon me, I do hereby certify to the necessity of the immediate passage of Assembly bill No. 2600, Int. No. 1700, entitled "An act to provide ways and means for the support of government."

Given under my hand and the privy seal of the State, at the Capitol, in the city of Albany, this twenty-third day
[L. S.] of April, in the year of our Lord one thousand nine hundred and one.

B. B. ODELL, Jr.

By the Governor:

JAS. G. GRAHAM,

Secretary to the Governor.

On motion of Mr. Allds, and by unanimous consent, said bill was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 90 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Coughtry	Hallock	Mains	Rogers
Adler	Daly	Halpin	Mansfield	Ross
Ahern	Darrison	Hanford	Mathews	Sanders
Allds	Davis	Harris	McKeown	Schneider
Allston	DeGraw	Hatch	McQuade	Sherer
Axtell	Dempsey	Henry	Meister	Smith J E
Baker	Dickinson	Hitchcock	Nye	Smith J T
Bedell	Doughty	Holsten	O'Connell	Smith W H
Bennet	Dusinbery	Honeck	Orr	Snyder
Bradley	Ellis	Irwin	Phillips	Stevens
Brooks	Fancher	Juengst	Plank	Swarts
Bryan	Fisher	Kaiser	Poth	Swift
Burnett	Fitzgerald	Keenan	Rainey	Traub
Cadin	Fowler	Kelly	Reilley	Treat
Conger	Galbraith	Kelsey	Reynolds	Vacheron
Cook	Gardiner R	Knipp	Rider	Waite
Coons	Geoghan	Landon	Roberts	Weber
Cotton	Griffith	Lewis M E	Rodenbeck	Wilson H

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate returned the bill (No. 2284, Senate reprint No. 1612) entitled "An act making appropriations for certain expenses of government and supplying deficiencies in former appropriations" (Int. No. 1372), with a message that they have agreed to the report of the committee of conference thereon, in the words following:

To the Legislature:

The undersigned, appointed by the Senate and Assembly as a committee of conference relative to the matters of difference arising between the two houses upon the Assembly bill No. 2284, Senate reprint No. 1601, entitled "An act making appropriations for certain expenses of government and supplying deficiencies in former appropriations" (Rec. No. 612), report that they have duly conferred upon said matters, and agreed to recommend as follows:

The Senate recedes from all amendments offered to Assembly bill No. 2284, and in lieu thereof the conference committee reports a substitute bill therefor, to be reprinted and placed on the order of third reading.

AN ACT making appropriations for certain expenses of government and supplying deficiencies in former appropriations.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. The treasurer shall pay, on the warrant of the comptroller, from the several funds specified, to the persons, and for the objects indicated in this act, the amounts named or such parts of those amounts as shall be sufficient to accomplish, in full, the purposes designated by the appropriations, which several amounts are hereby appropriated out of any moneys in the treasury not otherwise appropriated, but no warrants shall be issued, except in cases of salaries, until the amounts claimed shall have been audited and allowed by the comptroller, who is hereby authorized to determine the same. The persons demanding payment shall present to him a detailed statement, in items, verified by affidavit; and if the account shall be for services, it must show when, where and under what authority they were rendered; if for expenditures, when, where and under what authority they were made; if for articles furnished when and where they were furnished, to whom they were delivered, and under what authority; and if the demand be for

traveling expenses, the account must also specify the distance traveled, the place of starting and destination, the duty or business and the date and items of expenditure. On all accounts for transportation, furniture, blank and other books furnished for the use of officers, binding, blanks, printing, stationery and postage, a bill duly verified must be furnished; but whenever an appropriation shall have been provided otherwise the sum herein directed to be paid shall not be considered as an addition to such other appropriation unless it shall be expressly so declared in this act.

FROM THE GENERAL FUND.

EXECUTIVE DEPARTMENT.

For compensation, expenses and fees of witnesses upon application for executive clemency in capital cases to be paid by the comptroller upon the order of the governor the sum of seven hundred and eighty-five dollars and seventy-two cents, being the unexpended balance of appropriation made by chapter five hundred and ninety-three of the laws of eighteen hundred and ninety-eight, for apprehension of criminals and fugitives from justice, which sum is hereby reappropriated for the above mentioned purpose. To reimburse the appropriation for salaries of notarial clerks the sum of eleven hundred dollars to be paid by the treasurer from money received from the fees of notaries.

To reimburse the fund for clerks, stenographers and messengers, the sum of eighteen hundred dollars.

The sum of fifteen hundred dollars, being a portion of the unexpended balance of the appropriation for the commissioners of statutory revision, made by chapter four hundred and nineteen, laws of nineteen hundred, is hereby reappropriated for the payment of the legal advisor to the governor for the six months ending December thirty-first, nineteen hundred, of which seven hundred and fifty dollars shall be applied to reimburse the contingent fund of the executive department for salary heretofore advanced to said legal advisor.

For the executive department for printing of the state papers of the governor's predecessor eight hundred and seventy-five dollars, or so much thereof as may be necessary.

For the payment of the balance due Ansley Wilcox the commissioner appointed by the governor, November twenty-eight, eighteen hundred and ninety-nine, to hear the charges preferred against the former district attorney of New York county, the sum of five thousand dollars, and for the payment of the balance due for stenographer's fees in the same proceeding, the sum of six thousand, seven hundred and sixty-two dollars and ninety cents.

JUDICIARY.

For Robert Earl, associate judge of the court of appeals, whose term of office is abridged under the provisions of section twelve, article six, of the constitution, who has served as such associate judge ten years, twelve thousand dollars, or so much thereof as may be necessary.

For Charles Andrews, late chief judge and associate judge of the court of appeals, whose term of office is abridged under the provisions of section twelve, article six, of the constitution, who has served as such chief judge and associate judge ten years, twelve thousand dollars, or so much thereof as may be necessary.

For Jackson O. Dykman, a justice of the supreme court in the second judicial district, not residing in the county of Kings, whose term of office was abridged under the provisions of section twelve of article six of the constitution, and who served as such justice more than ten years, seven thousand two hundred dollars, or so much thereof as may be necessary; and for additional compensation, pursuant to chapter seven hundred and sixty-five of the laws of eighteen hundred and sixty-eight, as amended by chapter one hundred and twenty-six of the laws of eighteen hundred and eighty-three, and chapter one hundred and fourteen of the laws of eighteen hundred and ninety-four, three thousand seven hundred and fifty dollars, said amount to be refunded to the treasury pursuant to the provisions of the above mentioned acts.

For Charles C. Dwight, justice of the supreme court in the seventh judicial district whose term of office was abridged under the provisions of section twelve of article six of the constitution, and who served as such justice more than ten years, seven thousand two hundred dollars, or so much thereof as may be necessary.

For compensation of confidential clerks to the justices of the supreme court designated to the appellate division of the second department, three thousand two hundred and sixty dollars, or so much thereof as may be necessary, to be refunded to the treasury pursuant to chapter one hundred fifty-one of the laws of nineteen hundred.

For deficiency in appropriation for the compensation of deputy clerks and attendants of the appellate division of the supreme court in the second judicial department, for the fiscal year ending September thirtieth, nineteen hundred and one, four thousand nine hundred and eight dollars and thirteen cents, to be refunded to the treasury as provided by chapter ninety-nine, laws of eighteen hundred and ninety-six, or the acts amendatory thereto.

For the clerk of the court of appeals for stationery and other office expenses to October first nineteen hundred and one, five hundred dollars, or so much thereof as may be necessary.

For deficiency in appropriation for the necessary expenses of the several justices assigned to the appellate divisions of the supreme court pursuant to chapter three hundred ninety of the laws of eighteen hundred and ninety-six, three thousand dollars, or so much thereof as may be necessary.

For deficiency in appropriation for expenses of the appellate divisions of the supreme court, for compensation of clerks, criers, attendants and of stenographers and clerks to the judges and for their necessary expenses eight thousand dollars or so much thereof as may be necessary.

For deficiency in appropriation for the justices of the supreme court for salaries and expenses for the fiscal year ending September thirtieth, nineteen hundred, seven thousand five hundred dollars, or so much thereof as may be necessary.

For the miscellaneous reporter, for additional appropriation for clerk hire, obtaining copies of opinions and office expenses, the sum of seven hundred and eighty dollars, or so much thereof as may be necessary, to be paid by the state treasurer on the certificate of the reporter and audit and certificate of the comptroller.

LEGISLATURE.

For the clergymen officiating as chaplain of the assembly, during the session of nineteen hundred and one, for compensation, to be paid to the clerk of the assembly, for distribution by him to those clergymen, at the rate of five dollars a day for every day of attendance, four hundred dollars, or so much thereof as may be necessary.

For the clergymen officiating as chaplain of the senate during the session of nineteen hundred and one, for compensation, to be paid to the clerk of the senate, for distribution by him to those clergymen, at the rate of five dollars a day for every day of attendance, four hundred dollars, or so much thereof as may be necessary.

For engrossing resolutions ordered by the assembly of nineteen hundred, and nineteen hundred and one, five hundred dollars, or so much thereof as may be necessary, to be paid upon the certificate of the clerk of the assembly.

For the clerks of the senate and assembly, for the use of the senate and assembly, for file boards, index clerk's books, committee books, stationery, printing, for revising the clerk's manual and books, and copies of codes for the use of the senate and assembly, judiciary and codes committees, fourteen thousand dollars or so much thereof as may be necessary.

For deficiency in appropriation for postage, expenses of committees, compensation of witnesses, legislative manual, Crosswell's manual, clerk's manual, indexing the bills, journals and

documents of the senate and assembly, and other contingent expenses of the legislature, twenty-five thousand dollars, or so much thereof as may be necessary.

For the preparation of supplementary indices of senate bills, journals and documents, and indexing of the executive journals of the senate, the sum of one thousand dollars, or so much thereof as may be necessary, to be paid by the comptroller on the certificate of the president of the senate.

For engrossing resolutions ordered by the senate of nineteen hundred and nineteen hundred and one, five hundred dollars, or so much thereof as may be necessary, to be paid upon the certificate of the clerk of the senate.

For the traveling and other expenses of the clerk and employes of the senate in attending the investigation relative to the Rochester school bill, the sum of one hundred and seventy-five dollars or so much thereof as may be necessary, the same to be paid by the comptroller upon the certificate of the president of the senate.

For the clerk of the senate for preparing senate indexes during the legislative session of nineteen hundred and one, one thousand dollars or so much thereof as may be necessary, to be paid upon the certificate of the president of the senate.

For the rebinding of books in the senate library and for the purchase of books to complete the laws, journals and documents in the senate library, the sum of one thousand dollars or so much thereof as may be necessary, the same to be paid by the comptroller upon the certificate of the clerk of the senate.

SECRETARY OF STATE.

The sum of twenty-seven hundred dollars is hereby reappropriated out of the unexpended balances of the appropriation for clerical hire in the secretary of state's office pursuant to chapter five hundred and seventy of the laws of eighteen hundred and ninety-nine, for the construction of a gallery together with shelving, fixtures and other necessary repairs in the secretary of state's office, said work to be done under the direction of the superintendent of public buildings upon plans prepared by the state architect.

For the secretary of state for the payment of the inauguration expenses, the sum of eleven hundred and twenty dollars, or so much thereof as may be necessary, to be paid by the state treasurer upon the warrant and audit of the comptroller.

For the purpose of complying with the provisions of section nineteen and subdivision one of section thirty-six of the election law, the sum of ten thousand dollars, or so much thereof as may be necessary.

For the purchase of additional card file cases, for clerical services, for making index of the land grants, deeds, mortgages and maps, and land papers, and for binding land papers to be paid on the certificate of the secretary of state on the audit of the comptroller, four thousand dollars, or so much thereof as may be necessary.

For expenses in connection with the electoral college including the compilation and printing of the proceedings of said electoral college, the sum of five hundred dollars, or so much thereof as may be necessary.

For the secretary of state, for printing, binding and furnishing the necessary blanks for lists of persons enrolled and blank challenge affidavits, for use at the general election of nineteen hundred, pursuant to the provisions of chapters four hundred and ninety-nine and six hundred and thirty of the laws of eighteen hundred and ninety-nine, the sum of seven thousand nine hundred and ninety dollars and twenty cents, or so much thereof as may be necessary.

For the secretary of state, five hundred dollars, payable quarterly in full and in lieu of all expenses.

The sum of one thousand dollars is hereby reappropriated out of the unexpended balances of appropriations for clerical hire in the secretary of state's office, pursuant to chapter five hundred and seventy of the laws of eighteen hundred and ninety-nine, for extra temporary clerical and expert services in the office of the secretary of state.

COMPTROLLER.

For the comptroller, for the payment of compensation and expenses of counsel employed by him in legal actions or proceedings, six thousand dollars, or so much thereof as may be necessary.

For the comptroller, to pay claims on file in his office for assessments for local improvements on property, owned by the state, the sum of five thousand dollars or so much thereof as may be necessary, and for expenses in investigating such claims the sum of five hundred dollars, or so much thereof as may be necessary. All fees, interest and expenses of sale or collection incurred by local authority, officer or agent, in making any assessment, levy or collection or sale upon or of state property, or property held in trust for the state, for street or other municipal improvements in any municipal corporation of the state, shall be rejected by the comptroller.

For the care, maintenance, repairs and improvements of the Saratoga monument and the grounds connected therewith, to be expended under the supervision of the comptroller, pursuant to

the provisions of chapter five hundred and fifty-five of the laws of eighteen hundred and ninety-five, the sum of six hundred dollars, or so much thereof as may be necessary.

For the expenses of examinations and investigations of public institutions, made pursuant to law, the sum of two thousand dollars, or so much thereof as may be necessary, to be paid upon vouchers audited by the comptroller.

For the comptroller, for the payment of judgments against the state, for costs in certain actions pursuant to section thirty-two hundred and forty-one of the code of civil procedure, four thousand dollars, or so much thereof as may be necessary.

For the comptroller, for recopying, binding and repairing tax books, sales books, tax diaries, redemption diaries and other books and records of the land bureau in the comptroller's office, two thousand dollars, or so much thereof as may be necessary.

For the comptroller for the payment of the expenses of the collection of the Oneida county court and trust funds from the receiver of the Central National Bank of Rome, the sum of two thousand five hundred seventy-seven dollars and forty cents.

For the comptroller for furnishing and refitting the offices of the transfer tax bureau and land bureau with steel filing cases for the safe keeping of the statistics, documents and records of said departments, the sum of seventeen thousand dollars, or so much thereof as may be necessary, such work to be done upon plans and specifications of the state architect. None of this appropriation shall be available until after a contract shall have been let therefor after due advertisement to the lowest responsible bidder and a satisfactory bond for the completion of the same shall have been approved by and filed with the comptroller.

For the comptroller, for the payment of an agent or agents, and for other necessary expenses in the enforcement of the act to license and regulate the business of private detectives and detective agencies, the sum of three thousand dollars, or so much thereof as may be necessary, the amount herein appropriated to be paid from the funds received for license fees, as provided in chapter four hundred and twenty-two of the laws of eighteen hundred and ninety-eight, as amended by chapter three hundred and eighteen of the laws of eighteen hundred and ninety-nine.

For the comptroller, for salary and expenses of examiner appointed by the governor, pursuant to chapter four hundred and fourteen of the laws of eighteen hundred and ninety-nine, to examine the books of the running associations, three thousand dollars, or so much thereof as may be necessary, and for salaries and expenses of two examiners to examine the books of the

trotting associations of the state, four thousand dollars. The amounts herein appropriated to be paid from the funds collected from said associations.

For deficiency in appropriation for advances to county treasurers on amount of taxes on property of non-residents and for taxes on state wild or forest lands, which may be returned to the comptroller's office, and for adjusting accounts of state taxes with counties, thirty thousand dollars, or so much thereof as may be necessary, to be paid from the proceeds of the tax-sale of nineteen hundred.

For the comptroller, for the amount heretofore credited to Hamilton county pursuant to chapter two hundred and seven-teen of the laws of eighteen hundred and eighty-nine, twenty-eight hundred fifty-six dollars and eighty-seven cents.

For deficiency in appropriation for postage on official letters, documents and other matter sent by mail or express by the governor, secretary of state, comptroller, treasurer, attorney-general, state engineer and surveyor, superintendent of public instruction, regents of the university, adjutant-general, clerk of the court of appeals, state board of charities, state board of health, civil service commission and bureau of labor statistics, four thousand dollars, or so much thereof as may be necessary.

For the comptroller, for the redemption of certificate number six, due January thirtieth, nineteen hundred and two, issued for the purchase of land for the Adirondack park, under chapter five hundred and sixty-one of the laws of eighteen hundred and ninety-five, fifty-five thousand dollars, and for one year's interest at three per centum, on certificates numbers six to ten, issued for the same purpose, eight thousand two hundred and fifty dollars.

For the comptroller, for the payment of interest at three and one-half per centum for one year on four hundred thousand dollars of Adirondack park bonds, issued pursuant to chapter two hundred and twenty of the laws of eighteen hundred and ninety-seven, fourteen thousand dollars, or so much thereof as may be necessary.

For the comptroller, for the payment of interest at three and one-half per centum for one year, on nine hundred thousand dollars of public defense bonds, issued pursuant to chapter six hundred and seventy-two, laws of eighteen hundred and ninety-eight, thirty-one thousand five hundred dollars, or so much thereof as may be necessary.

For the comptroller, for the repayment to the several towns for the highway taxes reported pursuant to chapter three hundred and fifty-one of the laws of eighteen hundred and ninety-

eight the sum of sixty-seven thousand six hundred and fifty-five dollars and eighty-four cents, or so much thereof as may be necessary.

For the comptroller, for deficiency in appropriation for expenses of transportation of the session laws, journals and documents of the legislature, reports, books and packages by express or freight for public officers, and expenses of boxes therefor, ten thousand dollars or so much thereof as may be necessary.

The sum of one thousand three hundred and fifty-eight dollars and thirty-four cents, being the unexpended balance of appropriation made by chapter four hundred and eighteen of the laws of nineteen hundred, for the salary of the deputy comptroller, is hereby reappropriated for shelving for storage of documents, repairs, and other general expenses of the comptroller's office.

For Mary C. Morgan, widow of the late William J. Morgan, comptroller, who died September fifth, nineteen hundred, the sum of two thousand dollars, being the balance of the annual compensation of said comptroller for the calendar year, which would have been earned by him had he continued to live until the close of his term of office.

The sum of one hundred and eighty-seven dollars and ten cents, being the unexpended balance of appropriation per chapter six hundred and six of the laws of eighteen hundred and ninety-eight, for fees of surrogates in furnishing to the secretary of state copies of letters of administration, copies of wills probated in other states and subsequently filed in this state, as provided by section twenty-five hundred and three of the code of civil procedure, is hereby reappropriated for the same purpose.

For the examination of the accounts of the various county treasurers of the state, as required by chapter six hundred and fifty-one of the laws of eighteen hundred and ninety-two, for services of examiners, eight thousand dollars; for traveling and other necessary expenses of examiners, three thousand dollars, or so much thereof as may be necessary.

For the comptroller for the completion of the work in examination, arrangement, compilation and binding of the records of the revolutionary war in the comptroller's office, and for publishing further editions of twelve hundred copies of "New York in Revolution," with index, four copies of such edition to be furnished each member of the legislature, four thousand five hundred dollars, or so much thereof as may be necessary.

For the comptroller, for expenses in enforcing the new corporation and transfer tax laws, to the thirtieth of September, nineteen hundred and one, as follows: For the corporation tax bureau for stationery, books, postage, printing, furniture, traveling and all other necessary expenses, thirty-five hundred dollars, or so much

thereof as may be necessary; for extra clerical and stenographic services, two thousand dollars, or so much thereof as may be necessary; for the transfer tax bureau, for printing books for surrogates records and receipt books, for postage, traveling and other necessary expenses, two thousand five hundred dollars, or so much thereof as may be necessary; for extra clerical and stenographic services, two thousand eight hundred and fifty dollars, or so much thereof as may be necessary.

For the comptroller for the purpose of paying Dr. S. Case Jones for the balance due him for services and disbursements in full as a member of the tuberculosis committee of the state board of health, which position has now ceased to exist, the sum of three hundred eighty-nine dollars and fifty-seven cents, or so much thereof as may be necessary.

For the comptroller for the purpose of paying Dr. F. W. Smith for the balance due him for services in full as a member of the tuberculosis committee of the state board of health, which position has now ceased to exist, the sum of six hundred thirty-three dollars and thirty-three cents, or so much thereof as may be necessary.

For the comptroller for paying tax on property on Webster, Goundry and Oliver streets in the city of North Tonawanda, two thousand thirty dollars and eighty-five cents.

To the comptroller for the purpose of paying, after due audit, John R. Thomas, for services claimed to have been rendered as architect pursuant to this contract with the building commissioners of the Eastern New York Reformatory, the sum of thirteen thousand dollars, or so much thereof as may be necessary, on receipt in full by said John R. Thomas of all claims against the state of every name and nature under said contract, or for plans furnished or services rendered.

STATE TREASURER.

For the state treasurer, the sum of five hundred dollars, for furniture, books, binding, blanks, printing and other office expenses, or so much thereof as may be necessary.

THE ATTORNEY-GENERAL.

For the attorney-general, the sum of five thousand dollars, or so much thereof as may be necessary, for the expenses of investigating claims presented against the state.

For the attorney-general, for the payment of attorneys and counsel designated or employed by the governor or attorney-general for the transaction of legal business in pursuance of the pro-

visions of chapter eight hundred and twenty-one of the laws of eighteen hundred and ninety-five, ten thousand dollars, or so much thereof as may be necessary; but no warrant shall be issued for such payments until the amounts claimed shall be certified, audited and allowed by the governor and the attorney-general.

For the attorney-general, the sum of ten thousand dollars, or so much thereof as may be necessary, to pay attorneys, counsel and commissioner employed by him in pursuance of law, on the audit of the comptroller.

For Ceylon H. Lewis, three thousand, five hundred and forty-three and seventy-five one-hundredths dollars, for services as a deputy attorney-general, made necessary by the ordering of an extraordinary term of the supreme court.

To Clarence W. Francis, deputy attorney-general, for rent and maintenance of an office in the city of New York, and expenses thereof, for the two years preceding January first, nineteen hundred and two, the sum of two thousand dollars; to be paid by the comptroller upon the audit and certificate of the attorney-general.

For the attorney-general for the payment by the comptroller upon bills duly audited and approved by the governor and the attorney-general for attorneys' fees and disbursements in the suit to recover penalties for violations of the agricultural law, the sum of two thousand dollars, or so much thereof as may be necessary.

For deficiency in appropriation for salary of deputy attorney-general in charge of agricultural prosecutions one thousand dollars.

The sum of three thousand five hundred dollars, being a portion of the unexpended balance of the appropriation for the commissioners of statutory revision, made by chapter four hundred and nineteen of the laws of nineteen hundred, is hereby reappropriated for the payment of the balance due to Horace E. Deming, for services as counsel in connection with the investigation of the charges against the late district attorney of the county of New York, the same to be available upon the filing with the comptroller of a receipt in full for all services and expenses.

STATE ENGINEER AND SURVEYOR.

For the state engineer and surveyor for surveys and maps for the use of the attorney-general in cases before the court of claims arising on account of the canals of the state, the sum of fifteen thousand dollars or so much thereof as may be necessary, to be made available and payable from the canal fund.

For the state engineer and surveyor, to enable him to continue the survey, plotting and monumenting of the state lands now under lease, or to be leased in the future for the oyster industry, the sum of two thousand dollars.

For the state engineer and surveyor for traveling expenses and disbursements of employes, and for expenses incurred by his department in making examinations, surveys and maps for restoring and placing monuments on the boundary lines of the state, pursuant to chapter four hundred and twenty-one, laws of eighteen hundred and eighty-seven, the sum of four thousand dollars or so much thereof as may be necessary payable from the general fund.

For salaries and expenses of the chief bridge designer and inspector with the necessary assistants, draughtsmen, and supplies, the sum of ten thousand dollars, or so much thereof as may be necessary.

For the state engineer and surveyor for the purpose of continuing to cooperate with the United State geological survey in surveying and mapping the state of New York in the manner defined by chapter two hundred and nineteen, laws of eighteen hundred and ninety-eight, the sum of twenty-five thousand dollars, or so much thereof as may be necessary.

For the state engineer and surveyor for cooperation with the United States geological survey in hydrographic work connected with the measurements of volume of streams and flow of water in the state of New York, for the purpose of determining water supply available for canals and for potable and domestic uses and the development of water power, the sum of fifteen hundred dollars, or so much thereof as may be necessary.

For the state engineer and surveyor for carrying out the provisions of chapter one hundred and fifteen of the laws of eighteen hundred and ninety-eight, the sum of two hundred and twenty thousand dollars, or so much thereof as may be necessary.

For the state engineer and surveyor for completing new blue line maps of the Erie, Oswego and Champlain canals, the sum of one thousand dollars, or so much thereof as may be necessary, which sum shall be payable from the canal fund and be immediately available.

For the state engineer and surveyor for copying and preserving old maps, survey notes and miscellaneous references of his department relating to lands and land patents, colonial and early state times, the sum of one thousand dollars, or so much thereof as may be necessary.

The unexpended balance of the appropriation made by chapter five hundred and forty of the laws of eighteen hundred and ninety-nine for clerk hire in the office of the state engineer and surveyor

being one thousand two hundred and ninety-two dollars and twenty-three cents is hereby reappropriated for the same purpose.

For the state engineer and surveyor for making such surveys in the forest preserve or on adjoining lands as may be necessary to the work for the forest, fish and game commission, the sum of two thousand dollars, or so much thereof as may be necessary.

DEPARTMENT OF PUBLIC INSTRUCTION.

For repairs, renewals, betterments of buildings, equipment, fixtures, furniture and such additional accommodations in the normal schools of the state as may be necessary, eighty thousand dollars, or so much thereof as may be necessary, to be apportioned by the state superintendent of public instruction and to be expended by the local board of managers, payable upon bills audited by the comptroller upon vouchers approved by the state superintendent.

For the erection of new school buildings, repair and improvement of schoolhouses, and the purchase of necessary supplies for the Indian schools on the Allegany and Cattaraugus, the Onondaga, the Tonawanda, Tuscarora, Saint Regis, Shinnecock and Poospatuck Indian reservations, twenty-five hundred dollars, or so much thereof as may be necessary, to be expended under the direction of the state superintendent of public instruction.

For the professional training of teachers in accordance with the provisions of chapter ten hundred thirty-one of the laws of eighteen hundred ninety-five, and for the maintenance of classes for the training of common school teachers in the various academies and union free schools of the state, in accordance with the provisions of chapter five hundred fifty-six of the laws of eighteen hundred ninety-four, fifty thousand dollars, or so much thereof as may be necessary, to be paid from the free school fund by the state superintendent of public instruction to the various training schools and classes on the basis of the allowance per week specified by statute for the number of teachers instructed therein, for the annual school year ending July thirty-one nineteen hundred and one.

For deficiency in the appropriation for the maintenance of the examination department occasioned by the examinations in connection with the uniform grade course of study, six thousand dollars, or so much thereof as may be necessary, payable from the free school fund.

The sum of sixteen hundred dollars being the amount appropriated for the salary of a special instructor in drawing for teachers' institutes under chapter four hundred eighteen of the

laws of nineteen hundred, is hereby reappropriated for the maintenance of institutes in accordance with the provisions of chapter five hundred fifty-six of the laws of eighteen hundred ninety-four.

For the superintendent of public instruction for the publication of twenty thousand copies of the "Manual of Patriotism" recently prepared by him in accordance with the provisions of chapter four hundred eighty-one of the laws of eighteen hundred ninety-eight, the sum of thirteen thousand dollars, provided the same can be furnished at not to exceed said sum, and provided that the person, firm or corporation now holding the contract for such printing shall, prior to the publishing thereof, file with the comptroller a suitable agreement in writing, to accept a sum therefor not exceeding the sum above specified, and expressly waive any further sum to which he or they may or might be entitled under such contract therefor. The said copies to be distributed as follows: Fifteen thousand by the superintendent of public instruction, to the public schools of the state to enable the school authorities to supply each room in their various school buildings with a copy thereof; and five thousand copies to be distributed as follows: To each senator for the year nineteen hundred one and two, forty; and to each member of assembly for the year nineteen hundred one, twenty copies.

For payment of the fees of county treasurers for receiving and disbursing the state school tax for the years nineteen hundred and nineteen hundred one, twenty-one thousand dollars, or so much thereof as may be necessary, payable from the free school fund.

For the local board of the state normal and training school at Brockport, New York, for the purpose of reimbursing Mary H. Allen for damages resulting from the cancellation of the contract entered into between her and such local board for the management of the dormitory and boarding hall in connection with such school, one thousand five hundred dollars, or so much thereof as may be necessary, to be paid by the comptroller upon the certificate of the state superintendent of public instruction accompanied by the release of the said Mary H. Allen, properly executed, of all liability on the part of such local board or of the state by reason of such contract.

UNIVERSITY OF THE STATE OF NEW YORK.

For the state paleontologist, for the purpose of excavating the skeleton of mastodon in Orange county, the sum of six hundred dollars or so much thereof as may be necessary.

DEPARTMENT OF AGRICULTURE.

For the commissioner of agriculture for the purpose of investigation and extermination of the San Jose scale, the sum of twenty thousand dollars, or so much thereof as may be necessary.

For the commissioner of agriculture for the payment of claims against the state for the loss of horses diseased by glanders, killed under the provisions of the agricultural law, five hundred dollars, or so much thereof as may be necessary.

For the commissioner of agriculture for the settlement of the claim of J. T. Norton for salary, the sum of six hundred dollars, the same to be paid upon the order of the commissioner upon the filing with him of a receipt in full for all services and disbursements together with a resignation from the position of expert and agent.

For the payment of the expenses of delegates to the National farmers' congress, appointed by the governor of this state for the year nineteen hundred and one, the sum of fifteen hundred dollars, or so much thereof as may be necessary, said expenses to be paid by the comptroller after audit and upon the approval of the commissioner of agriculture.

STATE ARCHITECT.

The sum of three hundred and eighty-nine dollars, being part of the balance unexpended from an appropriation of sixteen hundred and forty-two dollars for clerk and stenographer and the sum of three hundred and ninety-one dollars, being part of the unexpended balance of an appropriation of four hundred and seventy dollars for a laborer, made pursuant to chapter four hundred and eighteen of the laws of nineteen hundred, is hereby reappropriated to pay the salary of the private secretary for the balance of the fiscal year ending September thirtieth, nineteen hundred and one.

The sum of two hundred and eight dollars, being part of the unexpended balance of the appropriation of two thousand five hundred dollars for chief draughtsman and the sum of one hundred and sixty-eight dollars, being part of the unexpended balance of an appropriation of twelve hundred and fifty-two dollars for one draughtsman, as appropriated by chapter four hundred and eighteen of the laws of nineteen hundred, is hereby reappropriated for consulting expert and additional draughtsmen.

BANKING DEPARTMENT.

The sum of one thousand dollars or so much thereof as may be necessary to be paid by the comptroller upon the certificate of the attorney general and of the superintendent of banks for the pur-

pose of paying witness fees and other disbursements in proceedings and litigations for or on account of institutions under the supervision of the superintendent of banks the same to be charged to, and repaid to the state by such corporations and in such proportion as the superintendent of banks shall deem just and reasonable.

For the payment of examiners for the examination of corporations and individual bankers pursuant to the provisions of the banking law, five thousand dollars, or so much thereof as may be necessary, which shall be assessed and collected from the corporations and individual bankers according to the amount charged for the examination of each and refunded to the state treasury.

For books, binding, blanks, printing and other expenses of the bureau of building and loan associations and foreign corporations in the banking department thirteen hundred dollars, which sum shall be assessed upon and collected from said associations and corporations and refunded to the treasury as provided in the banking law.

For stenographer in the branch office in New York, for additional compensation from January first, nineteen hundred and one, to October first, one hundred and fifty dollars.

CIVIL SERVICE COMMISSION.

The sum of six hundred fifty-three dollars and thirty-three cents, being part of the amount appropriated to the civil service commission by chapter four hundred nineteen of the laws of nineteen hundred for salaries of secretary and necessary clerks, examiners and stenographers not required for the expenses of said commission for the fiscal year ending October first nineteen hundred, is hereby reappropriated for the salary of a technical examiner from April thirteenth nineteen hundred and two to September thirtieth nineteen hundred and two inclusive, at the rate of one thousand four hundred dollars per annum.

EXCISE DEPARTMENT.

To pay deficiency in salary of Eulalie Parke, a stenographer in the department of excise, from May first, nineteen hundred and one, to October first, nineteen hundred and one, fifty dollars.

To pay deficiency in salary of Emily G. Pearsall, as stenographer in the department of excise from May first, nineteen hundred and one, to October first, nineteen hundred and one, seventy-five dollars.

FOREST, FISH AND GAME COMMISSION.

For the forest, fish and game commission, for the payment of rebates due the various towns on account of bills paid by them for suppressing forest fires, under chapter six hundred and fifty-five of the laws of eighteen hundred and ninety-six, nineteen thousand four hundred eighty-one dollars and fifty-six cents, or so much thereof as may be necessary.

For the payment of justices, constables, attorney and court costs and moieties in various prosecutions, twelve thousand dollars, or so much thereof as may be necessary, to be paid from the moneys received from fines and penalties, pursuant to section two hundred and eighty of chapter one hundred and fourteen, of the laws of eighteen hundred and ninety-six.

For the payment to James B. Lyon for an extra edition comprising three thousand copies of the forest, fish and game law for nineteen hundred, two hundred and twenty-five dollars.

For an exhibit at the New York state fair and the Pan-American exposition of the various species of fish and propagation of the same and for a forestry exhibit, the sum of one thousand dollars.

For continuing the work and for the payment of the expenses of experts furnished by the United States bureau of forestry, and for the estimating of standing timber and the securing of other information by them regarding the land and trees within the forest preserve, the sum of three thousand five hundred dollars.

For the payment of rent and office expenses of the shellfish department, two thousand dollars, or so much thereof as may be necessary.

For the expenses of the two assistant chief protectors as provided by statute, from May first to September thirtieth, nineteen hundred and one, six hundred and twenty-five dollars, or so much thereof as may be necessary.

For the forest, fish and game commission for salary of shellfish superintendent from April first to October first nineteen hundred and one, one thousand dollars; for expenses, two hundred and fifty dollars, or so much thereof as may be necessary.

HEALTH.

The sum of sixteen thousand two hundred eight dollars and eighty-three cents, being the unexpended balance of appropriations made by chapter four hundred and eighteen, laws of nineteen hundred, for the state board of health, is hereby reappropriated for the state department of health, as constituted by

chapter twenty-nine, laws of nineteen hundred and one, for the following purposes, for the fiscal year ending September thirtieth, nineteen hundred and one. For salary of commissioner of health, one thousand seven hundred and fifty dollars; for his expenses five hundred and fifty-four dollars and eighty cents; for salary of secretary one thousand three hundred and sixteen dollars and sixty-seven cents; for salary of chief clerk, twelve hundred dollars; for salary of medical expert seven hundred and fifty dollars; for salary of registrar seven hundred and fifty dollars; for bacteriological expenses seven hundred dollars; for the salary of stenographer, five hundred dollars; for salary of six clerks, three thousand five hundred dollars; for office expenses, one thousand five hundred dollars; for traveling expenses of employes of the department one thousand dollars; for services and expenses of experts, chemists and stenographers in examinations and investigations, two thousand six hundred eighty-seven dollars and thirty-six cents, or so much thereof as may be necessary.

The sum of two thousand seven hundred and forty dollars and eighty-one cents, being the unexpended balance of appropriation made by chapter five hundred and seventy, laws of eighteen hundred and ninety-nine for clerks, messengers and other employes, is hereby reappropriated for services and expenses of experts, chemists and stenographers in examinations and investigations.

To the department of public health for the necessary expenditures for the manufacture and standardisation of tetanus *steptococcus* and diphtheria, anti-toxine, and for further investigations of serum therapy in tuberculosis, typhoid fever and kindred diseases, the sum of twenty thousand dollars, or so much thereof as may be necessary. Such expenditure to be made on the approval of the governor.

STATE HISTORIAN.

For the state historian for copyist, indexer, typewriter and for extra clerical service, and for printing, stationery, maps and supplies, the sum of two thousand dollars, or so much thereof as may be necessary.

For the state historian for the translation of copied documents in the possession of the ecclesiastical archives of Amsterdam and The Hague, relating to the colonial history of the state of New York, and for their preparation for publication, the sum of four thousand five hundred dollars, or so much thereof as may be necessary, paid on the audit of the comptroller.

INSURANCE DEPARTMENT.

To the superintendent of insurance for examiners for salaries, the sum of two thousand dollars, or so much thereof as may be

necessary, the same to be collected from and refunded to the treasury by the corporations under examination when disbursements therefor are in consequence of services at or in connection with such examination.

The sum of one thousand dollars, or so much thereof as may be necessary, to be paid by the comptroller upon the certificate of the attorney-general, and of the superintendent of insurance, for the purpose of paying witness fees and other disbursements in proceedings and litigations for or on account of institutions under the supervision of the superintendent of insurance the same to be charged to and repaid to the state by such corporations and in such proportion as the superintendent of insurance shall deem just and reasonable.

For the superintendent of insurance, for night watchman, from October first, nineteen hundred and one to September thirtieth, nineteen hundred and two, an additional appropriation of one hundred and eighty dollars.

LAND OFFICE.

For the commissioners of the land office, the sum of one thousand five hundred dollars, for deficiency in the appropriation for valuations, assessments and other necessary expenses of the land board including the payment of state appraisers.

DEPARTMENT OF LABOR.

The sum of forty-four thousand three hundred ninety-five dollars and eighty cents, being a portion of the unexpended balances of appropriations made by chapter four hundred and eighteen, laws of nineteen hundred, for the bureau of labor statistics, factory inspector and board of mediation and arbitration, is hereby reappropriated for the purposes of the department of labor for salaries and expenses for same to September thirtieth, nineteen hundred and one, as follows:

For the salary of commissioner of labor, one thousand one hundred and sixty-seven dollars; for mediator of industrial disputes, one thousand three hundred and eighty-four dollars and forty cents; for first deputy commissioner of labor, eight hundred and thirty-four dollars; for assistant first deputy commissioner of labor, one thousand dollars; for second deputy commissioner of labor, eight hundred and thirty-four dollars; for assistant second deputy commissioner of labor, one thousand dollars; for chief statistician, one thousand three hundred and eighty-four dollars and forty cents; for statistical clerk, six hundred and sixty-seven dollars; for special agents, deputy factory inspectors and other necessary clerical services, twenty-one thousand three hundred

and ninety-one dollars; for superintendent of licenses, eight hundred dollars; for the expenses of the commissioner, four hundred dollars, or so much thereof as may be necessary; for the expenses of the first and second deputies, their assistants, the mediator, the superintendent of licenses, the statisticians, the special agents and the deputy factory inspectors, seven thousand dollars or so much thereof as may be necessary.

For printing, including the expense of publishing bulletins, two thousand and sixty-four dollars, or so much thereof as may be necessary.

For postage, telephone, telegraph and messenger service, express and other expenses, two thousand eight hundred dollars, or so much thereof as may be necessary.

For the expenses of the free employment bureau in New York city, one thousand six hundred and seventy dollars, or so much thereof as may be necessary.

SOCIETY FOR THE REFORMATION OF JUVENILE DELINQUENT'S, RANDALL'S ISLAND.

The sum of seven hundred and fifty dollars, being a portion of the unexpended balance of the appropriation of fifteen hundred dollars made by chapter two hundred eighty-two of the laws of nineteen hundred, for raking out and repointing main walls, is hereby reappropriated for the rebuilding, repairing and restocking of greenhouses recently destroyed and injured by fire, and the payment of seven hundred and fifty dollars of said appropriation is hereby reappropriated for the purpose as originally indicated.

LUNACY COMMISSION.

For the support and maintenance of the state hospitals, other than salaries and wages of officers and employes, pursuant to the provisions of the insanity law and the amendments thereto, two hundred and fifty thousand dollars, or so much thereof as may be necessary, to be paid from the moneys received for board and care of private patients, sale of farm products and other miscellaneous receipts of said hospitals.

For the commission in lunacy to pay claim of Hardy, Voorhees and company for lumber, doors, blinds, and other supplies furnished to the Long Island state hospital in December, eighteen hundred ninety-nine and January, nineteen hundred, one thousand six hundred five dollars and thirty cents.

LIBRARIES.

For the library of the supreme court, appellate division of the second judicial department, the sum of one thousand dollars, or so much thereof as may be necessary, to be paid upon vouchers approved by the presiding justice of said court.

For the library of the supreme court, appellate division of the third judicial department, the sum of one thousand dollars, or so much thereof as may be necessary, to be paid upon vouchers approved by the presiding justice of said court.

For the second judicial district law library at Newburgh, for the purchase of law books and reports, necessary rebinding of books belonging to said library, one thousand dollars, or so much thereof as may be necessary, to be paid on bills therefor, certified by a majority of the trustees having charge of said library.

For the maintenance of the library of the appellate division and the trial terms of the supreme court in the first judicial department, two thousand dollars, or so much thereof as may be necessary.

For the fifth judicial district library at Utica, for the purchase of books and necessary rebinding of books belonging to said library, the sum of one thousand dollars, to be paid on presentation to the comptroller of vouchers verified by a majority of the trustees having charge of said library; for the sixth judicial district library at Elmira, for the purchase of books and necessary rebinding of books belonging to said library, the sum of one thousand dollars to be paid on presentation to the comptroller of vouchers verified by a majority of the trustees having charge of said library.

For the third judicial district library at Kingston for law books and insurance premiums six hundred two dollars and fifty cents.

For the supreme court library for the eighth judicial district in the city of Buffalo, for the purchase of law books and reports, and necessary rebinding of books belonging to said library, the sum of one thousand dollars, to be paid on presentation to the comptroller of vouchers verified by a majority of the trustees having charge of such library.

For the library of the supreme court, appellate division, fourth judicial department, for the purchase of books and supplies for said library the sum of one thousand dollars, or so much thereof as may be necessary.

For deficiency in appropriation for the payment to the librarian of the law library of the appellate division of the supreme court, fourth judicial district, for the fiscal year ending September thirtieth, nineteen hundred and one, one hundred and forty-nine dollars and ninety-six cents, which amount is to be refunded pur-

suant to the provisions of chapter two hundred and ninety-eight of the law of nineteen hundred.

For the court of appeals library situate in the city of Syracuse for the purchase of books for said library the sum of one thousand dollars, or so much thereof as may be necessary, to be paid upon the presentation to the comptroller of vouchers approved by the majority of the trustees in charge of said library.

NATIONAL GUARD.

For the adjutant-general, to enable him to comply with sections thirty-eight, thirty-nine and forty, chapter sixteen of the general laws of the state, and to complete the personal records of the regiments, companies, troops, batteries and marines of this state which served in the late war for the Union, and for printing and binding the same in book form under the direction of the adjutant-general, the sum of twenty thousand dollars, or so much thereof as may be necessary.

For the adjutant-general, for the payment of pensions to members of the National Guard and Naval Militia and pay and care for the same when injured or disabled in service, pursuant to sections one hundred and twenty-nine and one hundred and thirty-two, chapter five hundred and fifty-nine, laws of eighteen hundred and ninety-three, and the acts amendatory thereof, and for payment of expenses and examinations of claims for pensions under said act, the sum of eight thousand dollars, or so much thereof as may be necessary.

For the adjutant-general, for services and necessary traveling expenses in prosecuting war claims of the state against the United States, under his direction, six thousand dollars, or so much thereof as may be necessary.

For the adjutant-general for the purpose of furnishing to the military and naval organizations of the state the new state flag, two thousand eight hundred fifty-four dollars, or so much thereof as may be necessary.

For the adjutant-general, payable from the military record fund for the expenses of the bureau of military records, one thousand five hundred dollars, or so much thereof as may be necessary.

For the armory commission, for repairs, improvements and betterments of the state arsenals, armories, camp grounds and the rifle ranges at Creedmoor and throughout the state, the sum of forty thousand dollars, or so much thereof as may be necessary.

For the adjutant-general for the purpose of properly repairing and equipping the boat "United States steamship Restless" to be loaned by the federal authorities to the state of New York and to be stationed at Charlotte in Monroe county, the sum of

eight thousand five hundred dollars, or so much thereof as may be necessary.

For the adjutant-general to enable him to prepare a suitable and permanent filing space for the records of the war of the rebellion and other expenses connected with the bureau of military records, to be paid from the military records fund, fifteen thousand dollars, or so much thereof as may be necessary.

For the state board of armory commissioners for the labor and material necessary to repair and improve the state armory located at Poughkeepsie which is chargeable to the state under the provisions of the military code and the act providing for the erection of said armory, the sum of five thousand six hundred and forty-nine dollars and sixteen cents, or so much thereof as may be necessary to complete the same except the loggia in accordance with the recommendations of the armory commission inspectors report thereon. No part of such appropriation shall be available except for plans, specifications and advertising, until a contract therefor according to said plans and specifications shall have first been made for the completion thereof within the sum appropriated, and the performance thereof secured by a satisfactory bond approved by the comptroller.

For the armory commission, for providing and furnishing a kitchen and other necessary repairs in the armory of the Twenty-third regiment in Brooklyn, twelve hundred dollars.

For the armory commission, for balance for repairs and betterments to the Olean armory, and for rewiring said armory in compliance with insurance requirements, two thousand one hundred eighty-one dollars, or so much thereof as may be necessary.

For the state board of armory commissioners for repairs, improvements and betterments to the state armory at Jamestown, the sum of six thousand dollars or so much thereof as may be necessary, to be expended under the direction of said board, the work to be done and the materials furnished, so far as practicable, upon contract, to be entered into with the lowest responsible bidder, after suitable advertisement.

For Powers, Bemis and Palmer balance expended upon the armory of the eighteenth separate company, the sum of five hundred and thirty-four dollars and thirteen cents.

For the adjutant-general for the payment of the advertising for the Geneva and Jamestown armories, seventy-one dollars and fifty-five cents.

STATE LEGISLATIVE PRINTING.

For the legislative printing of the state done pursuant to the contract therefor, and for the printing of five hundred copies of the report of the commissioners for the promotion of uniformity

of legislation in the United States, as ordered by resolution of the assembly April sixth, nineteen hundred; and the printing of seven hundred copies of the annual report of the society for the preservation of scenic and historic places and objects, as ordered by resolution of the assembly April sixth, nineteen hundred; and the printing of thirty-two hundred copies of volumes three and four Clinton papers, of the third annual report of the state historian; and for the lithographing, engraving and printing of the illustrations ordered for and contained in the legislative documents of nineteen hundred and nineteen hundred and one; and the printing of one thousand copies of assembly bill three hundred and one, as ordered by resolution of the assembly January thirty-one, nineteen hundred and one; and the printing of fifteen hundred copies of assembly bill four hundred and seventy-seven, as ordered by resolution of the assembly January thirty-one, nineteen hundred and one; and the printing of three hundred copies of assembly bill one hundred and sixty-seven, as ordered by resolution of the assembly February seventh, nineteen hundred and one; and the printing of one thousand copies of the report of the superintendent of public buildings, as ordered by resolution of the assembly February seventh, nineteen hundred and one; and the printing of fifteen hundred copies of assembly bill twelve hundred and forty-seven, as ordered by resolution of the assembly February twenty-eighth, nineteen hundred and one; and the printing of twenty-five hundred copies of assembly bill seven hundred and fifty-nine, as ordered by resolution of the Assembly February twenty-eighth, nineteen hundred and one; and the printing of ten thousand copies of the proceedings of the memorial services in honor of the late Senator Parsons, as ordered by resolution of the senate February nineteen, nineteen hundred and one; and the printing of one thousand copies of senate bill nine hundred and seventy-three, as ordered by resolution of the senate March fourteen, nineteen hundred and one; and the printing of three hundred copies of senate bill three hundred and forty-seven, as ordered by resolution of the senate April second, nineteen hundred and one; and the balance due for the printing of the election laws for the secretary of state, ordered by chapter six hundred and thirty of the laws of eighteen hundred and ninety-nine; and the necessary binding and engraving therefor, all of which are hereby legalized and confirmed, and which shall have the same force and effect as if the work therein ordered had been ordered by statute; and such printing, binding, lithographing and engraving shall be deemed to have been ordered by statute, and shall be paid for at the amounts audited by the comptroller in accordance with the contract rate price fixed therefor in the contract for the legislative printing for the

years in which such printing, lithographing and engraving was done, and the amount so audited and allowed shall be paid upon filing of the proper receipts in full for said items, the sum of one hundred and thirty thousand dollars, to apply on the present contract, of which sum not more than fifty thousand dollars shall be available to or allowed for the payment of the lithographing, engraving and printing of the illustrations in the legislative documents of nineteen hundred and nineteen hundred and one.

STATE BOARD OF CHARITIES.

For messenger and clerk of the Albany office for the fiscal year ending September thirtieth nineteen hundred two, seven hundred and twenty dollars.

STATE AND ALIEN POOR.

For clerk and stenographer for the fiscal year ending September thirtieth nineteen hundred two, six hundred dollars.

PRISONS.

For the superintendent of state prisons for Dannemora hospital for insane convicts, for maintenance for the year ending September thirtieth, nineteen hundred and one, ten thousand dollars; for additional furnishings, two thousand five hundred dollars; for draining, grading and improvement of grounds, fifteen hundred dollars, for balance of officers' salaries for the year ending September thirtieth, nineteen hundred and one, fourteen hundred dollars; for constructing and fencing airing court, five hundred dollars; for interior painting and finishing, five hundred dollars, for books for library, five hundred dollars.

For the superintendent of state prisons for the salary for September, nineteen hundred, of the warden of the Eastern New York Reformatory, two hundred and ninety-one dollars and sixty-seven cents.

For the superintendent of state prisons, for supplying additional hospital accommodations at Clinton prison by altering the present chapel into hospital wards and providing a temporary chapel elsewhere, or by such other arrangement as the state architect may approve, the sum of twenty-five hundred dollars, or so much thereof as may be necessary.

For the superintendent of state prisons for the purchase of stone to be cut and dressed for use in the construction of the Dannemora State Hospital for Insane Convicts or state prison buildings, for tools and for instruction and guarding of convicts so employed, the sum of four thousand dollars.

For providing current literature for the several state prisons, the sum of two thousand dollars, or so much thereof as may be necessary, to be expended under the direction of the superintendent of state prisons.

For securing additional instruction in the several state prisons, three thousand six hundred dollars, or so much thereof as may be necessary, to be expended under the direction of the superintendent of state prisons.

For traveling expenses of the superintendent and his clerks while engaged in the discharge of their official duties, the sum of five hundred dollars, or so much thereof as may be necessary.

For salary of an additional stenographer in the office of the superintendent of state prisons, from April first to September thirtieth, nineteen hundred and one, the sum of five hundred dollars, or so much thereof as may be necessary.

For Clinton prison, for furniture and carpets for warden's house and administrative offices, the sum of three thousand dollars, or so much thereof as may be necessary.

For the board of classification, for stationery and office expenses, two hundred dollars, or so much thereof as may be necessary; for stenographic services, one hundred and fifty dollars, or so much thereof as may be necessary; for traveling expenses of the secretary and pricing committee, four hundred dollars, or so much thereof as may be necessary.

For the State reformatory at Elmira for reimbursement of officers' trust fund, three thousand dollars, or so much thereof as may be necessary.

PUBLIC INSTITUTIONS.

WILLARD STATE HOSPITAL.

For the employment of clergymen at the Willard state hospital, the sum of one thousand dollars, or so much thereof as may be necessary, is hereby appropriated to be paid under the direction of the board of trustees from the appropriation for the state care of the insane.

SAINT JOSEPH'S INSTITUTE.

For Saint Joseph's institute for tuition and maintenance, for deficiency in appropriation of eighteen hundred and ninety-nine, sixty-four dollars and eleven cents.

NEW YORK WOMAN'S RELIEF CORPS HOME.

For the board of managers of the New York Woman's Relief Corps Home, out of the sum of six thousand one hundred dollars,

being the unexpended balance appropriated by chapter five hundred and seventy of the laws of eighteen hundred and ninety-nine for maintenance, the sum of four thousand one hundred dollars or so much thereof as may be necessary is hereby reappropriated for the purpose of maintenance, and the sum of two thousand dollars or so much thereof as may be necessary, is hereby appropriated for the furnishing of the administration building upon estimates to be approved by the comptroller.

For repairing the chimney at the power house, the sum of seven hundred dollars, or so much thereof as may be necessary.

ALBANY HOME SCHOOL FOR THE DEAF.

For deficiency in appropriation for the support and instruction of pupils in the Albany Home school for the deaf for the fiscal year ending September thirtieth, nineteen hundred and one, seventeen hundred dollars, or so much thereof as may be necessary.

WESTERN NEW YORK INSTITUTION.

The sum of eight hundred and three dollars and fifty-five cents, being a portion of the unexpended balance of appropriation made by chapter five hundred and seventy, laws of eighteen hundred and ninety-nine, for the support and instruction of pupils at the Western New York Institution at Rochester, for the improved instruction of deaf-mutes, is hereby reappropriated for the same purpose, for the fiscal year ending September thirtieth, eighteen hundred and ninety-nine, or so much thereof as may be necessary.

NEW YORK STATE SOLDIERS AND SAILORS' HOME, BATH.

For deficiency on account of maintenance for the fiscal year ending September thirtieth, nineteen hundred and one, twenty thousand dollars, or so much thereof as may be necessary.

The sum of twelve hundred and seventy-eight dollars and eighty-seven cents, being the unexpended balance of an appropriation of twenty thousand dollars, made by chapter four hundred sixty-one laws of eighteen hundred ninety-nine, for the New York State soldiers and sailors' home at Bath, for assembly room for construction, is hereby reappropriated for the same purpose, and for furnishing the same.

THOMAS ASYLUM AT IROQUOIS.

For deficiency on account of maintenance for the fiscal year ending September thirtieth, nineteen hundred and one, the sum of two thousand dollars, or so much thereof as may be necessary.

WESTERN HOUSE OF REFUGE AT ALBION.

For deficiency on account of maintenance for the fiscal year ending September thirtieth, nineteen hundred and one, two thousand dollars, or so much thereof as may be necessary.

NEW YORK STATE REFORMATORY FOR WOMEN.

The sum of six hundred dollars, being a portion of the unexpended balance of the appropriation of twenty-five hundred dollars made by chapter six hundred and sixteen of the laws of eighteen hundred and ninety-nine for farm and other utensils, is hereby reappropriated for electric fixtures and completing necessary electrical work, or so much thereof as may be necessary, and the sum of eighteen hundred and thirty-five dollars, being a portion of the unexpended balance of the appropriation of twenty-five hundred dollars made by chapter six hundred and sixteen, laws of eighteen hundred and ninety-nine for farm and other utensils, is hereby reappropriated for the same purpose, or so much thereof as may be necessary.

MATTEAWAN STATE HOSPITAL.

For deficiency on account of maintenance for the fiscal year ending September thirtieth, nineteen hundred and one, ten thousand dollars, or so much thereof as may be necessary.

For the Matteawan State Hospital, to be expended under the direction of the superintendent of state prisons and upon plans and specifications to be furnished for the construction by the state architect, so much of the following sums, as may be state architect, for a propagating and greenhouse, two thousand five hundred dollars; for fire-proof storage vault, nine hundred dollars; for guard room, five hundred dollars; for additional laundry machinery, three hundred dollars; for ward telephones, two hundred and fifty dollars; for fencing, drainage and farm improvements, one thousand dollars; for building roads and grading, five hundred dollars; for cement walks, five hundred dollars; and for constructing ice pond, one thousand dollars.

For the maintenance of state institutions to be paid from the moneys paid into the treasury of the state under section thirty-seven, chapter five hundred and eighty, laws of eighteen hundred and ninety-nine, so much of the following sums as may be and ninety-nine: For the State School for the Blind, Batavia, New York, two thousand dollars; for the Craig Colony, Sonyea, New York, eight thousand dollars; for the New York State Reformatory, Elmira, New York, ten thousand dollars; for the State Institution for Feeble-minded Children, Syracuse, New York,

twelve thousand dollars; for the Matteawan State Hospital, eighty thousand dollars.

QUARANTINE COMMISSION.

For the commissioners of quarantine for the payment of the emergency expenditure incurred as provided by section eighty-three of the public health law, being chapter two hundred and sixty-eight of the laws of nineteen hundred, the sum of five thousand, one hundred and eighty-three dollars.

For the commissioners of quarantine to provide for the deficiency in the salaries and maintenance account for the fiscal year ending September thirtieth, nineteen hundred and one, ten thousand dollars, or so much thereof as may be necessary.

For the health officer of the port of New York for salaries of employes, care of grounds, repairs and maintenance of property at Fire island, two thousand five hundred dollars.

RAILROAD COMMISSION.

For the board of railroad commissioners, the sum of sixty-nine thousand seven hundred and twenty-six dollars and ninety cents, being the amount remaining unexpended in the state treasury of the appropriation made by chapter five hundred and seventy of the laws of eighteen hundred and ninety-nine, to carry out the provisions of the railroad law in regard to grade crossings, is hereby reappropriated.

The sum of one thousand dollars or so much thereof as may be necessary to be paid by the comptroller upon the certificate of the attorney-general, and of the railroad commissioners, for the purpose of paying witness fees and other disbursements in proceedings and litigations for or on account of institutions under the supervision of the railroad commissioners, the same to be charged to, and repaid to the state by such corporations and in such proportion as the railroad commissioners shall deem just and reasonable.

SUPERINTENDENT OF PUBLIC BUILDINGS.

For painting and other incidental repairing necessary to the preservation of the buildings and premises in charge of the superintendent of public buildings, and to be expended in his discretion, the sum of five thousand dollars, or so much thereof as may be necessary.

For additional new flooring, painting, concreting, furnishing and further necessary labor and expenses, for the completion of the improvement and betterment of Geological and Agricultural

hall, to be expended in the discretion of the superintendent of public buildings, with the approval of the state architect, the sum of four thousand five hundred dollars, or so much thereof as may be necessary.

For the repairing, improvement and renovation of the toilet room on the first floor, south side of the capitol, and the ladies' toilet room adjacent thereto, and for the necessary repairing of other toilet rooms in the capitol, the sum of two thousand six hundred dollars, or so much thereof as may be necessary.

For repairing the sidewalks and driveways about the executive mansion, and for furnishings to replace those worn out or broken, the sum of three thousand five hundred dollars, or so much thereof as may be necessary.

For raking out joints and calking and pointing up the same and for cleaning the granite work generally on the east, north and south approaches of the state capitol, the sum of three thousand dollars or so much thereof as may be necessary.

For compensation of the secretary to the trustees of public buildings, one thousand dollars.

For carpets and furnishings for the senate chamber, the lieutenant-governor's anteroom, the senate finance committee room, one passageway and three lobbies connected with the senate, the sum of four thousand two hundred dollars, or so much thereof as may be necessary.

For alterations, additions, building of cases and partitions, plumbing, decorating, furnishing, electric lighting and all other necessary labor and materials, to equip rooms in the state capitol for the state tax commission, the state commission of prisons, the fish, forest and game commission, the civil service commission, the department of labor and the state architect, made necessary by the consolidation of state departments, the sum of ten thousand dollars, or so much thereof as may be necessary.

For mezzanine floor, partitions, electric lighting, painting, plumbing and all other necessary labor and materials, in the office of the commissioner of agriculture, in the state capitol, in order to remove thereto from agricultural and geological hall, the offices of the state fair commission and the state bureau of farmers' institutes, the sum of fifty-one hundred dollars, or so much thereof as may be necessary.

For filing cases, shelving, double desks, painting, gas fixtures, partitions and all other necessary labor and materials to equip additional rooms in the State hall for the state comptroller and the state engineer and surveyor, and to remove the office of the state paleontologist from said rooms to Agricultural and Geological hall, the sum of forty-nine hundred and fifty dollars, or so much thereof as may be necessary.

For additional improvements to Agricultural and Geological hall, including the moving of exhibits thereto from State hall, mezzanine floor, new cases to ceilings, doors, plumbing, speaking tubes, bells, gas fixtures, changing mineral cases, cutting new windows, partitions, and all other necessary labor and materials, the sum of eighty-five hundred dollars.

For extending a mezzanine floor over the assembly elevators, in the state capitol, connected with the rear lobby of the assembly chamber, and raising the present cases therein, and all other necessary labor and materials, the sum of ten hundred and fifty dollars, or so much thereof as may be necessary.

SUPERINTENDENT OF PUBLIC WORKS.

The sum of ten thousand dollars, or so much thereof as may be necessary, is hereby appropriated from the canal fund to pay for the services and disbursements incurred by the agent employed by the superintendent of public works on the request of the attorney-general, as provided in section two hundred and seventy of the code of civil procedure, in defense of claims against the state on account of the canals, such sum to be advanced to said agent by the comptroller in such sums as may be approved by him upon such agent filing with the comptroller a good and sufficient bond in the penalty of ten thousand dollars, and vouchers shall be rendered for the advances made.

For the superintendent of public works, for the payment of stenographer, two hundred and forty dollars; for the payment of the assistant clerk of the western division, two hundred and forty dollars; and for the payment of messenger, one hundred dollars, for the fiscal year ending September thirtieth, nineteen hundred and one, said sums being in addition to the sums provided for the stenographer, assistant clerk of the western division and messenger respectively by chapter four hundred and eighteen of the laws of nineteen hundred.

For the superintendent of public works, for repairs of highways on the Onondaga Indian Reservation to be expended under the direction of the superintendent of public works on the roads known as "Quarry," "Cardiff," "South Hollow," "William Hill," and "Albert Everingham" roads, and the road crossing Conmissary Brook, the sum of two thousand dollars, or so much thereof as may be necessary.

For continuing the construction of the new road on Onondaga Indian reservation running from Indian Quarry about four hundred and sixty rods southeasterly to intersect with the LaFayette road, three thousand dollars, or so much thereof as may be necessary.

For the superintendent of public works for the purpose of completing the clearing out, deepening and improving of the channel of Sawyer's creek, and providing an additional means of drainage, from the Nash road to Martinsville, in the town of Wheatfield, in the county of Niagara, the sum of two thousand five hundred dollars, or so much thereof as may be necessary. The work to be done and moneys expended upon plans and specifications prepared and furnished by the state engineer and surveyor, and all of said work as far as practicable to be done by contract and let to the lowest bidder or bidders.

For the superintendent of public works to widen the sidewalk of the bridge over the canal at Park avenue in the village of Mechanicville, five hundred dollars, or so much thereof as may be necessary.

For the superintendent of public works the sum of twenty-five thousand dollars, or so much thereof as may be necessary for the purpose of raising and completing in accordance with plans and specifications therefor prepared by the state engineer and surveyor, the Minetto dam, the High dam and the Oswego dam, all located on the Oswego river in Oswego county. No part of the sum herein appropriated shall be available except for necessary plans and advertising until a contract or contracts have been made for the completion of the work within the amount specified.

For the superintendent of public works, for the construction of a bridge over Black river at Pratt's Landing, between the towns of Grieg and Turin, in the county of Lewis, as provided by chapter six hundred and seventy, laws of nineteen hundred. in addition to the sum of sixteen thousand dollars appropriated by said chapter, three thousand dollars, or so much thereof as may be necessary.

For the superintendent of public works, the sum of three thousand dollars for the erection of an appropriate iron or steel foot bridge at Lyell avenue, in the city of Rochester, New York.

For the superintendent of public works, the sum of thirty-five hundred dollars, or so much thereof as may be necessary, for the purpose of erecting a dam on the Saint Regis river in the vicinity of Brasher Falls in the county of Saint Lawrence, for the protection of life and property and the prevention of the forming of ice gorges, causing dangerous floods, in said river in said vicinity.

For the superintendent of public works for the repair and preservation of the public highway running along and near the north side of Oswegatchie river in the town of Edwards, the sum of two thousand, five hundred dollars, or so much thereof as may be necessary.

For the superintendent of public works for the purpose of dredging the inlet to Cayuga lake at or near the city of Ithaca, and for repairing the state pier on Cayuga lake at the mouth of Cayuga inlet, the sum of four thousand dollars, or so much thereof as may be necessary.

For the superintendent of public works to pay for repairs heretofore made by the commissioners of water power on Black river on state dams on Beaver river and Fulton Chain on vouchers satisfactory to the superintendent, and make necessary repairs to said dams, three thousand dollars, or so much thereof as may be necessary.

For the superintendent of public works in addition to the sum appropriated by chapter six hundred nine of the laws of eighteen hundred ninety-eight, the unexpended balance of which is re-appropriated by chapter one hundred fifty-one of the laws of nineteen hundred for the purpose stated in said acts, the additional sum of three thousand dollars, or so much thereof as may be necessary for the completion of said work.

For the superintendent of public works for the repair of the highways on the Saint Regis Indian reservation, and for the payment of the sum of one hundred and fifteen dollars and fifty cents, being the balance due for supplies heretofore furnished and used in the construction of said roads, the sum of three thousand dollars, or so much thereof as may be necessary, to be expended under the direction of the superintendent of public works.

For the repair of the highway, leading from Axton to Tupper lake, from Axton to the western line of Harriestown, the sum of two thousand dollars, or so much thereof as may be necessary, said money to be expended under the direction of the superintendent of public works.

For the commissioners of water power on the Black river, subject to the approval of the superintendent of public works for ordinary repairs and maintaining the state dams on Beaver river and the Fulton chain, one thousand dollars, or so much thereof as may be necessary.

For the superintendent of public works, for the operation, maintenance and repair of the drawbridge known as Drake's drawbridge span of Wappinger creek, in the village of New Ham-burgh, in the county of Dutchess, for the year ending March first, nineteen hundred, as provided by chapter two hundred and thirty-nine of the laws of eighteen hundred and ninety-two, the sum of six hundred dollars, or so much thereof as may be necessary.

The sum of five thousand dollars, or so much thereof as may be necessary, is hereby appropriated to repair the highways, on

the Allegany Indian Reservation, in the towns of Allegany, Carrollton, Elko, Salamanca, Red House, Great Valley, South Valley and Coldspring; and on the Cattaraugus Indian Reservation, in the towns of Perrysburg and Persia, in the county of Cattaraugus, said moneys to be expended under the direction of the superintendent of public works.

For the superintendent of public works for gravelling and repairing the highway known as Judges road, and for grading, gravelling and repairing the highway known as the Akron road upon the Tonawanda Reservation, the sum of fifteen hundred dollars, or so much thereof as may be necessary.

For the superintendent of public works in addition to the sum heretofore appropriated for the purpose, the sum of four thousand and twenty-one dollars, or so much thereof as may be necessary, for the purpose of repairing the sea wall at the foot of Owasco lake, repairing the retaining wall on Owasco outlet and dredging said outlet, including the purchase of the necessary implements and appliances, said work to be done and money expended upon plans and specifications prepared by the state engineer and surveyor.

For the superintendent of public works for the purchase and installing of gates at the canal bridge on Peterboro street in the village of Canastota, the sum of three hundred and fifty dollars, or so much thereof as may be necessary, said gates to be erected upon the condition that no expense shall attach to the state for their future maintenance and operation.

For the superintendent of public works for the enlarging of the sluices and the raising of the dyke along the Black river in the town of Denmark and the town of Croghan, the sum of six thousand dollars, or so much thereof as may be necessary, said work to be performed upon plans and specifications to be furnished by the state engineer and surveyor.

For the superintendent of public works for the cleaning of the channel of Black creek in the town of Chili from where the Genesee valley canal crosses said creek, west to Brown bridge, said work to be done upon plans and specifications to be prepared by the state engineer and surveyor, the sum of twenty-five hundred dollars or so much thereof as may be necessary.

For the superintendent of public works, the sum of eight hundred and fifty dollars, or so much thereof as may be necessary, for the construction of sewer to drain the dry dock at lock number sixty-six of the Erie canal.

For the superintendent of public works, for continuing the work of building an extension of a dyke for the protection of property adjacent to the Chemung river in the town of Corning, county of Steuben, as authorized and provided by chapter four

hundred and forty-one of the laws of nineteen hundred, the sum of three hundred dollars.

For the superintendent of public works, the sum of fifteen hundred dollars, or so much thereof as may be necessary, for the cleaning out of the channel and the repair of the banks of that portion of Steele's creek provided for by chapter three hundred and sixty-five of the laws of eighteen hundred and ninety-six.

For the superintendent of public works for the construction of a bridge over the Erie canal at Warren street in the city of Syracuse at a cost not to exceed twenty thousand dollars, the sum of ten thousand dollars or so much thereof as may be necessary. No part of the money hereby appropriated shall be available until the sum of five thousand dollars has been deposited by the city of Syracuse, and the sum of five thousand dollars has been deposited by the Syracuse Rapid transit railway company in a bank approved by the superintendent of public works for the purposes herein specified; and no part of the money hereby appropriated shall be available until a contract for the completion of said bridge, specifications and advertising shall have been made with a responsible bidder, and the performance thereof secured by a sufficient bond approved by the comptroller and filed in his office.

For the superintendent of public works for the purpose of cleaning out the ditch east of Manlius Center, three hundred dollars or so much thereof as may be necessary.

To the superintendent of public works, for the purpose of building retaining wall and filling in on the north side cut of the Oswego canal in Syracuse at a point known as Spring street with the culvert under the same, on plans and specifications prepared by the state engineer, sixteen hundred dollars or so much thereof as may be necessary.

For the superintendent of public works, the sum of five thousand dollars, or so much thereof as may be necessary, to restore, repair and protect the work done along the channel of Newtown creek under chapter nine hundred and forty-nine of the laws of eighteen hundred and ninety-six and acts supplemental thereto, by the removal of bars and the construction of earth and timber dykes from the Lehigh Valley railroad bridge northerly along said creek.

For Olmstead Brothers, landscape architects, Brookline, Massachusetts, for professional services in connection with providing plans for the capitol grounds, including time of assistants in preparing plans, prints and materials, and traveling expenses in connection therewith, to be paid by the treasurer on the order of the superintendent of public works, three hundred and thirty-five dollars and eighty-five cents.

STATE RESERVATION AT NIAGARA.

For the commissioners of the state reservation at Niagara for the extraordinary expenditures during the year nineteen hundred and one, for care and maintenance made necessary by the Pan-American exposition, the sum of twenty thousand dollars, or so much thereof as may be necessary; for the filling, grading and putting in order the grounds adjacent to the new stone arch bridges, the sum of four thousand dollars; for electrical installation for lighting grounds and buildings, seven thousand dollars; for installing system of water pipes, fixtures and connections for grounds and buildings, six thousand, five hundred dollars; for the completion and furnishing of the shelter building, three thousand dollars; for bridge to Horseshoe falls and Terrapin point, one thousand dollars; for grading and tree planting, one thousand dollars; for the payment of the local paving assessment, two thousand, one hundred and sixty-five dollars and fifteen cents; or so much of such sums as may be necessary.

STATE ARCHITECT.

For the state architect to cover deficiency in clerical services and office expenses of the department for the fiscal year ending September thirtieth, nineteen hundred and one, the sum of two thousand dollars, or so much thereof as may be necessary.

STATE FAIR COMMISSION.

For the state fair commission for the payment of premiums at the state fair to be held in the year nineteen hundred and one, the sum of twenty-five thousand dollars.

MISCELLANEOUS.

For the department of the Grand Army of the Republic, for incidental office expenses, including postage, printing, telegraph and telephone charges, the sum of twelve hundred dollars, or so much thereof as may be necessary.

For the New York commission for the battle fields of Gettysburg and Chattanooga the sum of nine thousand five hundred and four dollars, for the payment of the engineer and secretary and necessary employes and for such other expenses as may be required for the work of the said commission including actual and necessary traveling and other contingent expenses incurred by the said commissioners in the discharge of their duties and for compensation for their services, as provided for in section six of chapter three hundred and seventy-one of the laws of eighteen

hundred and ninety four and the provisions of chapter two hundred and sixty-nine of the laws of eighteen hundred and eighty-seven.

For the New York commission for the battle fields of Gettysburg and Chattanooga, the sum of five thousand dollars, to be expended as provided by chapter one hundred and ninety-six of the laws of nineteen hundred; and the sum of twenty thousand dollars, or so much thereof as may be necessary, in addition to the amount heretofore appropriated for the purpose of erecting suitable monuments, memorial structures and markers to the memory of the soldiers from the state of New York, who were engaged in the military operations around Chattanooga, said money to be paid by the treasurer upon the warrant of the comptroller upon proper vouchers duly certified by the presiding officer of the board of commissioners.

For the health officer of the port of New York, for defraying the expenses of the bacteriological laboratory and quarantine station, including tests in the diagnosis of typhoid fever, to be made in the laboratory when requested by medical practitioners within the boundaries of this state free of any charge, eight thousand five hundred dollars, or so much thereof as may be necessary.

For John F. Connor, the sum of nine hundred dollars, or so much thereof as may be necessary, to be paid upon itemized statement, duly verified, after audit and allowance by the comptroller, in full for services rendered to the board of managers of Craig Colony, as counsel in the matter of the awarding of the contracts, preparing bids, advertisements and bonds and the adjustment of differences with the contractors; and the conducting of the negotiations and preparation of papers in the exchange of real estate with the Western New York and Pennsylvania railroad company, together with the necessary traveling expenses in connection with these matters.

To the comptroller, for the payment of the claim of the Milliken Imprinting company, for taxes erroneously paid into the treasury July twenty-fourth, nineteen hundred, under the corporation tax law, the sum of forty-nine dollars and fifty cents.

For the payment for animals killed by reason of the provisions of the health law under the tuberculosis provisions thereof, eight hundred sixty-one dollars and seventy-five cents, to be paid as follows: Daniel Hoyt, twenty dollars; W. B. Cleves, twenty dollars; T. B. Merchant, forty-five dollars; Thomas Eggleston, forty-five dollars; Dennis Sullivan, one hundred dollars; Jerry Doyle, sixty-two dollars and fifty cents; T. S. Hulse, three hundred and twenty-five dollars and fifty cents; William Mar-

shall, twenty dollars; Chris Shafer, twenty-three dollars and fifty cents; Daniel Wingert, one hundred and fifty-seven dollars and seventy-five cents, D. Ready, twenty-five dollars, Jacob Pfendler, seventeen dollars and fifty cents; and for the payment for animals killed by reason of the provisions of the health law, by reason of glanders, the sum of ninety dollars, to be paid as follows: W. E. Blanding and company, forty dollars; W. W. Oliver, fifty dollars.

For Richard R. McMahon, the sum of fifteen hundred dollars, as counsel for the state of New York, upon the remand to the court of claims by the United States supreme court determining the right of the state to an allowance for interest and so forth; the said sum to be paid upon an itemized statement, duly verified, and upon audit by the comptroller and the filing of a receipt in full for all claims for services against the state.

For William B. Gere, for refund of money paid into the treasury April second, eighteen hundred and ninety-six, for certain lands in the city of Syracuse, New York, on account of the failure of the state's title thereto, and for interest on same, the sum of one thousand one hundred and thirty-two dollars and twenty-one cents, or so much thereof as may be necessary, said refund having been made by the commissioners of the land office pursuant to section five, chapter three hundred and seventeen, laws of eighteen hundred and ninety-four.

For the canal board, for the purpose of paying witness fees and expenses in the proceedings had before such board in the settlement, adjustment and termination of unfinished and completed contracts for the improvement of the canals, the sum of one thousand dollars, or so much thereof as may be necessary, to be paid upon the audit of said canal board.

For the county of St. Lawrence on account of monies erroneously paid into the state treasury from penalties collected for violation of the agricultural law, twenty-five dollars.

For the South Canton creamery company of the town of Canton, the sum of twenty-five dollars on account of monies erroneously paid into the state treasury from monies collected for violations of the agricultural law.

For Abram Church, the sum of fifty dollars, being for monies paid for violation of the agricultural law in excess of the legal penalty.

For Ellen Cotter, the sum of fifty dollars, being for monies paid for violation of the agricultural law in excess of the legal penalty.

To the Argus Company, for the publication of two thousand additional sets of the debates of the constitutional convention, together with the indices therefor, the sum of sixteen thousand

dollars; seven hundred and fifty sets of said debates shall be for the members of the senate for the year nineteen hundred and one, to be delivered to the clerk of the senate; twelve hundred sets for the members of the assembly for the year nineteen hundred and one, to be delivered to the clerk of the assembly; and fifty sets to be distributed to the public libraries and to be delivered to the superintendent of public instruction; and for the completing of the revised record of the constitutional convention of eighteen hundred ninety-four by the printing in volume five, together with the index, the balance of the documents referred to in the text of said record, the sum of two thousand eight hundred dollars for the above edition and for the edition of nineteen hundred.

To the New York commission for the battle fields of Gettysburg and Chattanooga, the sum of thirty-six thousand dollars, or so much thereof as may be necessary, for the purpose of paying for twelve thousand copies of the final report of the said commissioners, "New York at Gettysburg," to be distributed as follows: To each senator of the senate of nineteen hundred one and two, sixty copies, to each member of assembly for the year nineteen hundred one, thirty copies, and the remainder to be distributed by said commission to New York troops who participated in the battle of Gettysburg; provided, however, that this appropriation shall not be available, nor any work performed on account thereof until the state legislative printer shall have filed with the comptroller an agreement to furnish the books herein provided for, within the appropriation hereby made for the same.

To the local board of managers of the Fredonia state normal and training school for the purpose of reimbursing their maintenance fund for the amounts expended by them in the renting and equipping of temporary quarters in the village of Fredonia made necessary by the destruction of the school building by fire, and for the expenses connected with the recovery of the bodies of the students burned in said fire, and their burial, twenty-eight hundred dollars, or so much thereof as may be necessary payable by the state comptroller upon bills audited and approved by the state superintendent of public works.

To Clarence F. Birdseye, for services and disbursements as counsel for James T. Anyon, one of the board of examiners of certified public accountants, in proceedings before the attorney-general on the petition and amended petition of Frank Broaker for leave to bring an action in the name of the people of the state of New York against said James T. Anyon to oust him from said office of examiner of certified public accountants, and also for the services and disbursements of said Birdseye as counsel for said Anyon in the action subsequently brought in Kings county, by

leave of the attorney-general, to oust said Anyon from said office, and to continue said Broaker as one of the board of examiners of certified accountants, five hundred dollars.

For the care and treatment in full to May first, nineteen hundred and one of indigent residents of the state of New York at the Pasteur institute of the city of New York, the sum of three thousand dollars, or so much thereof as may be necessary, to be paid upon the rendering and receipting in full of accounts therefor, after due audit by the comptroller.

To the comptroller for the payment of the claim of the L. E. Waterman company for taxes deposited with the treasurer pursuant to statute, which were subsequently determined by the appellate court to be erroneously paid, the sum of nine hundred and forty dollars and ninety-five cents, and for the costs as taxed by the court against the state the sum of one hundred and twenty dollars and ninety-five cents.

For salary of superintendent of Onondaga salt springs as provided by chapter twenty-seven, laws of eighteen hundred and ninety-eight, fifteen hundred dollars.

For Mrs. Francis W. Parsons, widow of the late Cornelius R. Parsons, senator from the forty-third district, the sum of fifteen hundred and forty-seven dollars, being the salary and mileage of her deceased husband for the year nineteen hundred and one, said amount to be paid from the appropriation made by chapter four hundred and eighteen, laws of nineteen hundred, for compensation and mileage of officers and members of the legislature.

To the father of the late W. H. Wilson, the sum of six hundred and thirty dollars, being the balance of the salary due to the late W. H. Wilson, member of assembly from the ninth New York district, said amount to be paid from the appropriation made by chapter four hundred and eighteen, laws of nineteen hundred, for the compensation and mileage of officers and members of the legislature.

For the state commission in lunacy, the sum of two thousand, six hundred and seventy-seven dollars and forty-two cents, or so much thereof as may be necessary, is hereby appropriated for the payment of such sum as shall be by them found owing to A. Pasquini for the work, labor and material actually furnished and performed in taking down the wall and foundation of the boiler house at Ward's island and the rebuilding of the same; said sum to be paid out of the moneys appropriated for building, repairs and improvements of the state hospitals.

For the care and improvement of the Clinton house at Poughkeepsie, two hundred dollars, or so much thereof as may be necessary.

For the extraordinary repairs and ordinary maintenance of the senate house at Kingston, the sum of five hundred dollars, or so much thereof as may be necessary.

For necessary repairs of Grant Cottage on Mount MacGreggor, for the care and improvement of the grounds surrounding the same, and the necessary work on the driveway leading thereto, one hundred fifty dollars, or so much thereof as may be necessary.

To the secretary of the constitutional convention of eighteen hundred and ninety-four, for the reading of the proof and the revision of the debates of the constitutional convention, the sum of one thousand dollars.

The unexpended balance amounting to nine hundred and fifty-one dollars and forty cents heretofore appropriated by chapter two hundred and seven of the laws of eighteen hundred and ninety-eight for the digging of a canal from Shinnecock bay to Great South bay is hereby reappropriated for the same purpose.

For the trustees of Washington's headquarters at Newburgh for the completion of the iron fence and the grading of the ground under their care, the sum of five thousand five hundred dollars, or so much thereof as may be necessary.

No manager, trustee or other officer of any state, charitable or other institution receiving moneys under this act from the state treasury for maintenance and support shall be individually interested in any purchase, sale or contract made by any officer for any of said institutions.

All charitable institutions, reformatories, houses of refuge and the state industrial school, receiving moneys under this act, shall file with the comptroller on or before the twentieth of October of each year, a certified inventory of all articles of maintenance on hand at the close of the preceding fiscal year, naming in such inventory the kind and amount of such articles of maintenance.

The comptroller is hereby authorized and empowered to devise a form of accounts to be observed in every state charitable institution, reformatory, house of refuge, state industrial school, or department receiving moneys under this act, which shall be accepted and followed by such institutions and departments after thirty days' notice thereof has been submitted to them by the comptroller, and such form of accounts shall include such a uniform method of bookkeeping, filing and rendering of accounts as may insure a uniform method of purchase of like articles whether by weight, measure or otherwise, as the interest of the public

service requires. Such form shall also include a uniform rate of allowance in reporting in such institutions and departments, the amount in value of all produce and other articles of maintenance raised upon lands of the state, and which may enter into the maintenance of such institutions or departments.

It shall be the duty of the clerk or bookkeeper in each state charitable institution, reformatory, house of refuge, state industrial school or any state department receiving moneys under this act, to receive and examine all articles purchased by the proper officer or received for the maintenance thereof, to compare them with the bill therefor, to ascertain whether they correspond in weight, quantity and quality, and to inspect the supplies thus received; and the said clerk or bookkeeper shall also enter each bill of goods thus received in the book of the institution or department in which he is employed at the time of the receipt of the articles; and if any discrepancy is found between such bill and the articles received, he shall make a note thereof, whether it be in weight, quality or quantity, and no goods or other articles of purchase, or farm or garden products of lands of the institution, shall be received unless an entry thereof be made in the book of accounts of the institution, with the proper bill, invoice or mention, according to the form of account and record prescribed by the comptroller.

In accounts for repairs or new work not done under contract provided for in this act the name of each workman, the number of days he is employed, and the rate and amount of wages paid to him shall be given. If contracts are made for repairs or new work, or for supplies, duplicates thereof, with specifications, shall be filed with comptroller.

Moneys herein appropriated for the repair, improving, furnishing or building of state institutions or for the purchase or improvement of the grounds or for labor, salaries or maintenance shall only be advanced to the several boards of managers of state institutions as the work progresses or the purchase is made and upon bills duly certified, rendered and audited.

§ 2. This act shall take effect immediately.

FRANK W. HIGGINS,
JOHN RAINES,
BERNARD F. MARTIN,

Senate Conferees.

J. P. ALLDS,
OTTO KELSEY,
T. M. COSTELLO,
GEORGE T. KELLY,
DANIEL D. FRISBIE,

Assembly Conferees.

Which report was adopted, and said bill ordered reprinted, as amended, and restored to its place on the order of third reading.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK—EXECUTIVE CHAMBER.

To the Legislature:

It appearing to my satisfaction that the public interest requires it;

Therefore, In accordance with the provisions of section 15 of article 3 of the Constitution, and by virtue of the authority thereby conferred upon me, I do hereby certify to the necessity of the immediate passage of Senate bill No. 1612, entitled "An act making appropriations for certain expenses of government and supplying deficiencies in former appropriations," as amended.

Given under my hand and the privy seal of the State, at the Capitol, in the city of Albany, this twenty-second day
[L. S.] of April, in the year of our Lord one thousand nine hundred and one.

B. B. ODELL, JR.

By the Governor:

JAS. G. GRAHAM,

Secretary to the Governor.

Said bill was then read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 95 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Costello	Gardner C J	Lewis T D	Salyerds
Ahern	Cotton	Geoghan	Mansfield	Sanders
Allds	Daly	Griffith	Marson	Scanlon
Allston	Davis	Hallock	McInerney	Seymour
Axtell	DeGraw	Hammond	McMillan	Sherer
Babcock	Dempsey	Hanford	Meister	Smith J E
Baker	Dickey	Harris	Morgan	Smith J L
Baum	Dickinson	Hatch	O'Connell	Smith S W
Bedell	Doughty	Hawkins	Orr	Snyder
Bell	Duross	Hitchcock	Phillips	Sullivan
Bennet	Egan	Holsten	Plank	Swarts
Blackwell	Everett	Hyman	Poth	Swift
Brill	Fancher	Irwin	Prince	Traub

Brooks	Fish	Kaiser	Remsen	Treat
Bryan	Fitzgerald	Keenan	Richter	Vacheron
Burnett	Fordyce	Kelly	Rierdon	Waite
Cadin	Fowler	Kelsey	Robinson	Walrath
Conger	Galbraith	Landon	Rodenbeck	Weber
Cooley	Gardiner R	Leggett	Ross	Wilson H

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have agreed to the report of the committee of conference thereon.

The Senate returned the bill (No. 2210) entitled "An act to regulate the practice of architecture" (Int. No. 471), with a message that they have concurred in the passage of the same, with the following amendment:

Strike out all after the enacting clause and substitute Assembly bill No. 1804, in the words following:

Section 1. Within sixty days after the passage of this act, the board of regents of the University of the state of New York shall appoint nine persons to constitute the New York State Board of Architectural Examiners who shall be divided into three classes of three members each. The first class shall serve for three years, the second class for two years, and the third class for one year from the date of their appointment, and thereafter there shall be appointed by the regents each year, three persons to serve three years to supply the place of the class retiring. Appointments necessary to fill vacancies which may occur in any of the classes shall be made by the regents within sixty days after the vacancy has occurred. All appointments shall be made in writing and shall be filed with the secretary of state. The members of the board shall serve without compensation or reimbursement for their services and expenses except as hereinafter provided. The regents may remove any examiner for misconduct, incapacity or neglect of duty.

§ 2. The members of the New York State Board of Architectural Examiners shall, before entering upon the discharge of their duties, take and file with the secretary of state the constitutional oath of office. They shall annually elect from their number a president and a secretary to hold office for one year.

§ 3. The board may adopt rules and regulations to govern their proceedings not inconsistent with this act. The board may adopt a seal, and the secretary shall have the care and custody thereof, and shall keep a record of all proceedings of the board, which shall be open to public examination.

§ 4. Six members of the board shall constitute a quorum, but the board may delegate the examination of applicants to a committee of less number to report the examination to the board.

§ 5. Special meetings of the board shall be called by the secretary upon the request of any two members by giving at least five days' written notice of the meeting to each member. The New York State Board of Architectural Examiners, with the approval of the regents of the state of New York, may adopt rules and regulations for the examination and registration of applicants for registration to practice architecture in accordance with the provisions of this act, and may amend, modify, and repeal such rules and regulations from time to time.

§ 6. The board shall immediately upon the election of each officer thereof, and upon the adoption, repeal, or modification of the rules and regulations for the registration of applicants, file with the secretary of state, and publish, in at least two architectural journals, the name and post-office address of each officer, and a copy of such rules and regulations, or the amendment, repeal or modification thereof.

§ 7. Provision shall be made by the state board of architectural examiners for holding examinations of applicants for registration to practice architecture in at least four convenient places in the state and at least four times annually in accordance with the regents rules. And any person over twenty-one years of age, upon the payment of a fee of five dollars shall be entitled to enter any examination appointed for determining the qualifications for such registration.

§ 8. If the examination of any applicant shall be satisfactory to a majority of the board, a certificate shall be issued to the applicant by the regents authorizing him to practice the profession of architecture, upon payment of an additional fee of fifteen dollars. A person who shall at the time of the passage of this act be engaged in the practice of architecture in this state shall be entitled to registration upon the payment of a fee of ten dollars, without examination, on presenting to the state board of architectural examiners an affidavit to that effect, or a certificate from a similarly constituted board in another state. Each person registered shall cause the same to be recorded in the clerk's office of the county of his residence, or, if non-resident of the state, in the county in this state in which he shall have an office, and the clerk shall record the same upon payment to him of his fees at the same rate as for recording a deed. Upon every change of such residence or office from such county to another county in this state, the holder of such a license shall cause the same to be recorded in like manner in the clerk's office of the county to which such residence or office shall be changed.

§ 9. The regents shall keep on file a correct list of all registered architects. Any certificate of registration so granted or obtained by affidavit may be revoked by the regents upon the unanimous recommendation of the board of examiners for gross ignorance, recklessness, or dishonest practices of the holder thereof, but before any certificate shall be revoked such holder shall be entitled to at least twenty days' notice of the charge against him, and of the time and place within the county of his residence of the meeting of the board for hearing and determining of such charge. The accused shall be entitled to a reasonable opportunity to produce witnesses before them and to be heard in person or by counsel in open public trial, and the revocation of any such certificate of registration may be reviewed by a court of record, upon the application of any person aggrieved. If a person shall pursue the practice of architecture in this state, as a registered architect, or shall engage in this state in the business of preparing plans, specifications, and preliminary data for the erection or alteration of buildings, or shall advertise or put out any sign, card or drawing designating himself as a registered architect, having an office or doing business within this state without a registration therefor, in accordance with the provisions of this act, he shall be guilty of a misdemeanor, and upon conviction, shall be fined not less than fifty dollars, nor more than five hundred dollars.

§ 10. But nothing herein contained shall be construed to prohibit any person in this state from acting as designer of his own building, or as a designer for any person employing him with full knowledge on the part of such employer that the person so employed is not a registered architect in accordance with this act, nor to prohibit architects residing in other states and not having an office or carrying on a general business in this state acting as architects for any building, or for visiting the state for such purpose in person; nor to prohibit students or employes of architects from acting for or upon the authority of such architects.

§ 11. All fees shall be paid to the regents. The members of the board shall make out proper vouchers for their travelling and other legitimate expenses in connection with the business of the board, which shall be paid by the regents after they have been properly attested by the president and secretary of the board.

§ 12. An itemized account of such receipts and expenditures shall be kept by the regents and a report thereof for each year duly verified by the affidavit of the secretary of the regents shall be filed with the secretary of state within sixty days thereafter.

§ 13. This act shall take effect immediately.

Mr. Kipp moved to concur in the Senate amendment.

Mr. Speaker put the question whether the House would concur in said amendment, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES	90 }
{ NOES	00 }

Those who voted in the affirmative, were

Adams	Cotton	Gardner C J	Mansfield	Ross
Ahern	Coughtry	Graeff	Marson	Salyerds
Allds	Darrison	Hallock	McInerney	Sanders
Apgar	DeGraw	Halpin	McMillan	Schneider
Babcock	Delaney	Hammond	McQuade	Seymour
Baum	Dempsey	Hanford	Nye	Smith A R
Bell	Dickey	Harris	O'Brien	Smith J E
Bennet	Dooling	Hatch	Orr	Smith J T
Blackwell	Doughty	Henry	Patton	Smith S W
Bradley	Dusinbery	Holsten	Phipps	Snyder
Brill	Ellis	Irwin	Platt	Sullivan
Bruckner	Everett	Juengst	Price	Swift
Burnett	Fancher	Keenan	Rainey	Thorn
Burns	Fish	Kelly	Remsen	Treat
Conger	Fitzpatrick	Knipp	Richter	Vacheron
Cooley	Fowler	Leggett	Rierdon	Walrath
Coons	Frisbie	Lewis M E	Robinson	Weber
Costello	Galbraith	Lynn	Rodenbeck	Wilson H

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendment of the Senate thereto.

The Senate returned the bill (No. 2163, Senate reprint No. 1444) entitled "An act to amend the Forest, Fish and Game Law, in relation to fishing through the ice in the waters of Washington county" (Int. No. 519), with a message that they have concurred in the passage of the same, with the following amendment:

Strike out all after the enacting clause and insert the following:

"Section 1. Section fifty-nine of chapter twenty of the laws of nineteen hundred, entitled 'An act for the protection of the for-

ests, fish and game of the state, constituting chapter thirty-one of the general laws,' is hereby amended to read as follows:

"§ 59. Exception to last section.—Bullheads, catfish, eels, perch and sunfish, and except during the months of March and April, pickerel may be taken through the ice with a hook and line or tip-ups, in Lake Keuka or Crooked lake, Queechy lake, in the town of North East, Dutchess county, the waters of Sullivan, Essex and Delaware counties not inhabited by trout and in Lake Neatahwanta, Oswego county, in Owasco lake from the head thereof to a line running across the lake from a ravine just south of the cottage now owned by E. C. Pulver on the west shore to the ravine just north of the cottage now owned by James Foster on the east shore thereof; and in Honeoye lake, Canadice lake and Conesus lake, except in March and April; and by set lines through the ice in the Susquehanna river and in the Chenango and Unadilla rivers and their tributaries in Chenango county during the same time. No person shall fish with more than ten lines at a time under this section.

"§ 2. This act shall take effect immediately."

Mr. Irwin moved to concur in the Senate amendment.

Mr. Speaker put the question whether the House would concur in said amendment, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 87 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Costello	Graeff	Mansfield	Ruehl
Adler	Coughtry	Hallock	McInerney	Sanders
Ahern	Darrison	Hammond	McKeown	Schneider
Allston	Davis	Harburger	McQuade	Seymour
Axtell	Dempsey	Hasenflug	Nye	Smith A R
Babcock	Dickinson	Hawkins	O'Brien	Smith J L
Baker	Dooling	Henry	O'Malley	Smith J T
Bedell	Duross	Holsten	Patton	Snyder
Bell	Egan	Honeck	Phipps	Sullivan
Blackwell	Ellis	Irwin	Platt	Swift
Bradley	Everett	Kaiser	Price	Thorn
Brooks	Fish	Keenan	Prince	Traub
Bruckner	Fitzgerald	Kelly	Reilley	Treat
Bryan	Fitzpatrick	Knipp	Richter	Vacheron

Burns	Fordyce	Landon	Rierdon	Waite
Cadin	Frisbie	Lewis M E	Robinson	Weber
Cook	Gardiner R	Lynn	Rogers	Wilson H
Cooley	Gardner C J			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendment of the Senate thereto.

The Senate returned the Senate bill (No. 689) entitled "An act to amend section 1075, chapter 378, of the Laws of 1897, entitled 'An act to unite into one municipality under the corporate name of the city of New York, the various communities lying in and about New York harbor, including the city and county of New York, the city of Brooklyn and the county of Kings, the county of Richmond, and part of the county of Queens, and to provide for the government thereof,' in reference to public school janitors" (Rec. No. 155), with a message that said bill was duly passed by the Senate and Assembly, and was transmitted to the mayor of the city of New York, for a public hearing in said city, as provided by law, and was returned by said mayor with a message that said bill, after a public hearing thereon, had not been accepted by the city nor by the mayor. Said bill was thereafter and on this day again duly passed, a majority of all the senators elected voting in favor thereof, and three-fifths being present, the President stating the question to be "Shall this bill pass notwithstanding the objection of the mayor of the city of New York thereto?"

Mr. Speaker stated the question to be "Shall this bill pass notwithstanding the objections of the mayor of the city of New York thereto?" and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

{ AYES 100 }
 { NOES 43 }

Those who voted in the affirmative, were

Adams	Costello	Hallock	Morgan	Schneider
Ahern	Cotton	Hammond	Nye	Seymour
Allds	Coughtry	Hanford	O'Brien	Sherer

Allston	Darrison	Harris	Orr	Smith A R
Apgar	Davis	Hatch	Patton	Smith J L
Axtell	DeGraw	Henry	Phillips	Smith J T
Babcock	Dickinson	Hitchcock	Phipps	Smith S W
Baker	Doughty	Irwin	Plank	Smith W H
Bedell	Dusinbery	Kelsey	Platt	Snyder
Bell	Ellis	Knipp	Price	Stevens
Bennet	Fancher	Landon	Rainey	Swift
Blackwell	Fish	Leggett	Remsen	Thorn
Brill	Fisher	Lewis M E	Reynolds	Traub
Brooks	Fordyce	Lewis T D	Roberts	Treat
Bryan	Fowler	Mains	Robinson	Vacheron
Burnett	Galbraith	Mansfield	Rodenbeck	Waite
Cadin	Gardiner R	Marson	Rogers	Walrath
Conger	Gardner C J	McKeown	Ross	Weber
Cook	Graeff	McMillan	Ruehl	Weekes
Coons	Griffith	McQuade	Salyerds	Wilson H

Those who voted in the negative were,

Baum	Duross	Hawkins	Mathews	Rider
Bradley	Egan	Holsten	McInerney	Rierdon
Bruckner	Fitzgerald	Honeck	Meister	Sanders
Burns	Fitzpatrick	Hyman	O'Connell	Scanlon
Daly	Frisbie	Juengst	Poth	Smith J E
Delaney	Geoghan	Kaiser	Prince	Sullivan
Dempsey	Halpin	Keenan	Reilley	Ulmann
Dickey	Harburger	Kelly	Richter	Van Name
Dooling	Hasenflug	Lynn		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

A message was received from the Senate in the words following:

IN SENATE, *April 23, 1901.*

Pursuant to concurrent resolution of the Senate and Assembly, the Governor returned the Senate bill No. 1606, entitled "An act to amend the Insanity Law, known as chapter 545 of the Laws of 1896." (Rec. No. 347.)

The vote upon the final passage of said bill having been reconsidered, on motion of Mr. Malby, and by unanimous consent, the same was amended as follows:

Strike out all after the enacting clause and insert as follows:

Section 1. Section sixty-five of chapter five hundred and forty-five of the laws of eighteen hundred and ninety-six entitled "An

act in relation to the insane, constituting chapter twenty-eight of the general laws," as amended by chapter three hundred and eighty, laws of nineteen hundred, is hereby amended as follows:

§ 65. **Liability for care and support of poor and indigent insane.**—All poor and indigent insane persons not in confinement under criminal proceedings, shall, without unnecessary delay, be transferred to a state hospital and there wholly supported by the state. The costs necessarily incurred in the transfer of patients to state hospitals shall be a charge upon the state. The commission shall secure from the patient's estate and from relatives or friends who are liable or may be willing to assume the costs of support of inmates of state hospitals supported by the state, reimbursement, in whole or in part, of the money thus expended, either directly or through the treasurers of the respective hospitals, as provided in section forty-two of this act. The commission may appoint agents, whose duty it shall be to secure from relatives and friends who are liable therefor, or who may be willing to assume the cost of support of any of the inmates of state hospitals as are being supported by the state, reimbursement in whole or in part of the money so expended. The compensation of each agent shall not exceed five dollars a day, and the necessary traveling and other incidental expenses incurred by him, to be approved by the comptroller. The commission may fix a rate to be paid for the support of the inmates of state hospitals by relatives liable for such support or by those not liable for such support, but willing to assume the cost thereof; but such rate shall be sufficient to cover a proper proportion of the cost of maintenance and of necessary repairs and improvements. The maintenance of any inmate of a state hospital, committed thereto upon a court order arising out of any criminal action, shall be paid by the county from which such inmate was committed.

§ 2. This act shall take effect immediately.

Said bill, as amended, was reprinted, re-engrossed, and having been upon the desks of the members three legislative days, was passed and ordered sent to the Assembly for concurrence.

By order of the Senate,

JAMES S. WHIPPLE,

Clerk.

Mr. Stevens moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the

members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 90 }
 } NOES 00 }

Those who voted in the affirmative, were

Adams	Dempsey	Hanford	O'Brien	Scanlon
Ahern	Dickinson	Harris	Orr	Schneider
Allds	Doughty	Hatch	Phillips	Seymour
Apgar	Duross	Henry	Plank	Smith A R
Babcock	Egan	Holsten	Poth	Smith J L
Baum	Everett	Hyman	Price	Smith J T
Bell	Fancher	Juengst	Rainey	Smith W H
Blackwell	Fisher	Kaiser	Remsen	Stevens
Brill	Fitzgerald	Keenan	Reynolds	Swarts
Bruckner	Fitzpatrick	Kelly	Richter	Swift
Burnett	Fowler	Knipp	Rierdon	Thorn
Cadin	Frisbie	Leggett	Robinson	Traub
Cook	Gardiner R	Lynn	Rodenbeck	Treat
Cooley	Gardner C J	Mansfield	Rogers	Vacheron
Costello	Geoghan	Mathews	Ross	Waite
Coughtry	Griffith	McKeown	Ruehl	Weber
Darrison	Halpin	McQuade	Salyerds	Weekes
Delaney	Hammond	Morgan	Sanders	Wilson H

Mr. Speaker put the question whether the House would agree to the final passage of said bill as amended, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 92 }
 } NOES 00 }

Those who voted in the affirmative, were

Adams	Daly	Harris	McMillan	Sanders
Adler	Davis	Hatch	McQuade	Scanlon
Ahern	Delaney	Hawkins	Morgan	Seymour
Allds	Dempsey	Hitchcock	O'Brien	Sherer
Apgar	Dickinson	Honeck	O'Malley	Smith J E
Axtell	Doughty	Hyman	Patton	Smith J L
Baker	Dusinbery	Irwin	Phillips	Smith S W

Bedell	Egan	Kaiser	Plank	Snyder
Bennet	Everett	Keenan	Poth	Stevens
Bradley	Fish	Kelly	Prince	Swarts
Brill	Fisher	Kelsey	Reilley	Swift
Bruckner	Fitzpatrick	Landon	Remsen	Traub
Bryan	Fowler	Lewis M E	Reynolds	Ulmann
Burns	Galbraith	Lynn	Rider	Vacheron
Conger	Gardiner R	Mansfield	Roberts	Waite
Cook	Geoghan	Marson	Rodenbeck	Weber
Cooley	Griffith	Mathews	Rogers	Weekes
Costello	Halpin	McKeown	Ruehl	Wilson H
Coughtry	Hanford			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate returned the bill (No. 1912, Senate reprint No. 1395) entitled "An act to amend the Public Health Law, and the acts amendatory thereof, in relation to pharmacy" (Int. No. 536), with a message that they have concurred in the passage of the same, with the following amendment:

Strike out all after the enacting clause and insert the following:

Section 1. Subdivision four of section one hundred and ninety-four of chapter six hundred and sixty-one of the laws of eighteen hundred and ninety-three, entitled "An act in relation to the public health, constituting chapter twenty-five of the general laws," is hereby amended to read as follows:

Subdivision 4. It shall be lawful for a licensed druggist under this act, who shall conform to the rules and regulations of the state board of pharmacy to take, exhibit and use the titles, "licensed druggist" and "drug store," and to have charge of, engage in, conduct or carry on, on his own account or for another, the dispensing, compounding or retailing of drugs, medicines or poisons, in any place which by the last state or United States census, had a population of less than one thousand, but no licensed druggist shall have charge of more than one drug store at the same time.

§ 2. Section one hundred and ninety-nine of said chapter six hundred and sixty-one, as added by chapter six hundred and sixty-seven of the laws of nineteen hundred is hereby amended to read as follows:

§ 199. Application of article limited.—This article shall not apply to the practice of a practitioner of medicine who is not the

proprietor of a store for the dispensing or retailing of drugs, medicines and poisons, or who is not in the employ of such a proprietor, and shall not prevent practitioners of medicine from supplying their patients with such articles as they may deem proper, and except as to the labeling of poisons it shall not apply to the sale of medicines or poisons at wholesale when not for the use or consumption of the purchaser, or to the sale of paris green, white hellebore and other poisons for destroying insects, or any substance for use in the arts, or to the manufacture and sale of proprietary medicines, or to the sale by merchants of ammonia, bicarbonate of soda, borax, camphor, castor oil, cream of tartar, dye stuffs, essence of ginger, essence of peppermint, essence of wintergreen, non-poisonous flavoring essence or extracts, glycerine, licorice, olive oil, salammoniac, salt petre, sal-soda, epsom salts, rochelle salts, and sulphur, except as herein provided. Provided, however, that in the several places in this state outside of incorporated cities and villages, and in incorporated villages of the fourth class, said places and villages not having therein or within three miles thereof a regularly licensed pharmacy or drug store, physicians may compound medicines, fill prescriptions, and sell poisons, duly labeling the same as required by this act, and merchants and retail dealers may sell the ordinary non-poisonous domestic remedies. Any division of the state board of pharmacy, having within its territory any such village or place, shall, whenever the necessity therefor is shown to exist, grant to some resident therein, who has had experience in dealing in drugs, medicines and poisons, a permit to compound medicines, fill prescriptions and sell poison for a period not exceeding one year, upon the payment of a fee not exceeding three dollars. Such permit shall be limited to the village or place in which such person resides and may be limited to one or more of the above classifications and to the sale of certain kinds or classes of poisons.

§ 3. This act shall take effect immediately.

Mr. Costello moved to concur in the Senate amendment.

Mr. Speaker put the question whether the House would concur in said amendment, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 98 {
 { NOES 00 {

Those who voted in the affirmative, were

Adams	Darrison	Hanford	McInerney	Ross
Adler	DeGraw	Harris	McKeown	Salyerds
Ahern	Delaney	Hasenflug	McQuade	Sanders
Allds	Dickey	Hawkins	Morgan	Schneider
Allston	Dickinson	Henry	Nye	Sherer
Apgar	Doughty	Holsten	O'Connell	Smith A R
Babcock	Egan	Honeck	Orr	Smith J T
Baum	Ellis	Hyman	Patton	Smith S W
Bedell	Everett	Juengst	Phillips	Snyder
Bennet	Fish	Kaiser	Plank	Stevens
Blackwell	Fisher	Keenan	Platt	Swarts
Brill	Fitzpatrick	Kelly	Price	Thorn
Brooks	Fordyce	Kelsey	Rainey	Traub
Bruckner	Frisbie	Knipp	Ramseu	Ulmann
Bryan	Gardiner R	Leggett	Reynolds	Van Name
Burns	Gardner C J	Lewis M E	Rider	Walrath
Cadin	Geoghan	Lewis T D	Roberts	Weber
Cook	Griffith	Mains	Robinson	Weekes
Costello	Hallock	Mansfield	Rogers	Wilson H
Coughtry	Hammond	Mathews		

Ordered. That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendment of the Senate thereto.

The Senate returned the Senate bill (No. 834) entitled "An act to amend chapter 686 of the Laws of 1894, entitled 'An act for the preservation of macadamized public highways in Queens county, in relation to railroads on certain streets,' as amended by chapter 548 of the Laws of 1899 and chapter 104 of the Laws of 1900, in relation to the construction of railroads on various streets and avenues" (Rec. No. 160), with a message that said bill was duly passed by the Senate and Assembly, and was transmitted to the mayor of the city of New York, for a public hearing in said city, as provided by law, and was returned by said mayor with a message that said bill, after a public hearing thereon, had not been accepted by the city nor by the mayor. Said bill was thereafter and on this day again duly passed, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, the Speaker stating

the question to be " Shall this bill pass notwithstanding the objection of the mayor of the city of New York thereto?"

Mr. Speaker stated the question to be " Shall this bill become a law notwithstanding the objection of the mayor of the city of New York thereto?" and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, said bill having been printed and on the desks of the members in its final form at least three calendar legislative days prior to its final passage.

{ AYES 103 }
{ NOES 44 }

Those who voted in the affirmative, were

Adams	Coons	Griffith	Nye	Schneider
Adler	Costello	Hallock	O'Brien	Seymour
Ahern	Cotton	Hammond	O'Malley	Sherer
Allds	Coughtry	Hanford	Orr	Smith A R
Allston	Darrison	Harris	Phillips	Smith J L
Apgar	Davis	Hatch	Phipps	Smith J T
Axtell	DeGraw	Henry	Plank	Smith S W
Babcock	Dickinson	Hitchcock	Platt	Smith W H
Baker	Doughty	Irwin	Price	Snyder
Bedell	Dusenbery	Kelsey	Rainey	Stevens
Bell	Ellis	Knipp	Reynolds	Swarts
Bennet	Everett	Landon	Remsen	Swift
Blackwell	Fancher	Leggett	Reynolds	Thorn
Brill	Fish	Lewis M E	Roberts	Traub
Brooks	Fisher	Lewis T D	Robinson	Treat
Bryan	Fordyce	Mains	Rodenbeck	Waite
Burnett	Fowler	Mansfield	Rogers	Walrath
Cadin	Galbraith	Marson	Ross	Weber
Conger	Gardiner R	McMillan	Ruehl	Weekes
Cook	Gardner C J	McQuade	Salyerds	Wilson H
Cooley	Graeff	Morgan		

Those who voted in the negative, were

Baum	Duross	Hawkins	Mathews	Rider
Bradley	Egan	Holsten	McInerney	Rierdon
Bruckner	Fitzgerald	Honeck	McKeown	Sanders
Burns	Fitzpatrick	Hyman	Meister	Scanlon
Daly	Frisbie	Juengst	O'Connell	Smith J E
Delaney	Geoghan	Kaiser	Poth	Sullivan
Dempsey	Halpin	Keenan	Prince	Vacheron
Dickey	Harburger	Kelly	Reilley	Van Name
Dooling	Hasenflug	Lynn	Richter	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate returned the bill (No. 1256, Senate reprint No. 1603) entitled "An act to amend chapter 182 of the Laws of 1898, entitled 'An act for the government of cities of the second class'" (Int. No. 1019), with a message that they have concurred in the passage of the same, with the following amendments:

Page 2, line 2, after the word "be" insert a comma.

Same page, line 4, after the comma strike out the word "six" and insert the word "five."

Mr. R. Gardiner moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 101 {
} NOES 00 {

Those who voted in the affirmative, were

Adams	Daly	Griffith	Mathews	Ross
Adler	Davis	Hallock	McKeown	Ruehl
Ahern	DeGraw	Hammond	McQuade	Salyerds
Allds	Delaney	Hanford	Morgan	Sanders
Allston	Dickey	Harris	Nye	Scanlon
Apgar	Dickinson	Hasenflug	O'Connell	Schneider
Axtell	Doughty	Hawkins	Orr	Seymour
Babcock	Duross	Hitchcock	Patton	Smith A R
Baum	Egan	Holsten	Phipps	Smith J E
Bedell	Ellis	Hyman	Platt	Smith J T
Bell	Everett	Irwin	Poth	Smith S W
Blackwell	Fish	Juengst	Prince	Stevens
Bradley	Fisher	Keenan	Rainey	Swarts
Brill	Fitzgerald	Kelly	Reilley	Thorn
Brooks	Fitzpatrick	Knipp	Reynolds	Treat
Bryan	Fordyce	Landon	Rider	Vacheron
Burnett	Frisbie	Leggett	Rierdon	Van Name
Cadin	Galbraith	Lewis T D	Roberts	Walrath
Conger	Gardner C J	Mains	Rodenbeck	Weekes
Coons	Geoghan	Mansfield	Rogers	Wilson H
Cotton				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments, of the Senatè thereto.

The Senate returned the bill (No. 1795, Senate reprint No. 1593) entitled "An act to amend the Election Law, in relation to the use of voting machines" (Int. No. 672), with a message that they have concurred in the passage of the same, with the following amendment:

Strike out all after the enacting clause and insert the following:

Section 1. Section one hundred and sixty-one of chapter nine hundred and nine of the laws of eighteen hundred and ninety-six, entitled "An act in relation to the elections, constituting chapter six of the general laws," as added by chapter four hundred and sixty-six of the laws of eighteen hundred and ninety-nine, is hereby amended to read as follows:

§ 161. Examination of voting machines.—Any person or corporation owning or being interested in any voting machine may apply to the state board of voting machine commissioners to examine such machine and report on its accuracy, efficiency and capacity to register the will of voters. The commissioners shall examine the machine and report accordingly. Their report shall be filed in the office of the secretary of state and shall state whether in their opinion the kind of machine so examined can be safely used by such voters at elections, under the conditions prescribed in this article. If the report states that the machine can be so used, it shall be deemed approved by the commissioners and machines of its kind may be adopted for use at elections as herein provided. When the machine has been so approved, any improvement or change that does not impair its accuracy, efficiency or capacity shall not render necessary a re-examination or reapproval thereof. Any form of voting machine not so approved, or which has not been heretofore examined by said commissioners and reported on pursuant to law, and its use specifically authorized by law, cannot be used at any election. Each commissioner is entitled to one hundred and fifty dollars for his compensation and expenses in making such examination and report, to be paid by the person or corporation applying for such examination.

§ 2. Section one hundred and sixty-two of said chapter nine hundred and nine, as added by chapter four hundred and sixty-six of the laws of eighteen hundred and ninety-nine, is hereby amended to read as follows:

§ 162. **Requirements of voting machine.**—A voting machine approved by the state board of voting machine commissioners may be so constructed as to provide facilities for voting for the candidates of at least seven different parties or organizations. It must be provided with a single straight ticket device for each of said parties, by the use of which a voter may vote for all the candidates of that party, and must permit a voter to vote for any person for any office whether or not nominated as a candidate by any party or organization, and must permit voting in absolute secrecy. Such machine shall also be so constructed that a voter can not vote for a candidate or on a proposition for whom or on which he is not lawfully entitled to vote. It must also be so constructed as to prohibit voting for more than one person for the same office, except where a voter is lawfully entitled to vote for more than one person for that office, and it must afford him an opportunity to vote for as many persons for that office as he is by law entitled to vote for and no more, at the same time prohibiting his voting for the same person twice. It immediately after the polls are closed or the operation of such machine for such election is completed any movement of the voting or registering mechanism is absolutely prohibited. It may also be provided with one ballot in each party column or row containing only the words "presidential electors" preceded by the party name, and a vote for such ballot shall operate as a vote for all the candidates of such party for presidential electors, and shall be counted as such.

§ 3. Section one hundred and sixty-three of said chapter nine hundred and nine, as added by chapter four hundred and sixty-six of the laws of eighteen hundred and ninety-nine, is hereby amended to read as follows:

§ 163. **Adoption of voting machine.**—The board of elections of the city of New York, the common council of any other city, the town board of any town, or the board of trustees of any village may adopt for use at elections any kind of voting machine approved by the state board of voting machine commissioners, or the use of which has been specifically authorized by law; and thereupon such voting machine may be used at any or all elections held in such city, town or village, or in any part thereof, for voting, registering and counting votes cast at such elections. Different voting machines may be adopted for different districts in the same city, town or village.

§ 4. Section one hundred and sixty-eight of said chapter nine hundred and nine, as added by chapter four hundred and sixty-six of the laws of eighteen hundred and ninety-nine, is hereby amended to read as follows:

§ 168. **Sample ballots.**—The officers or board charged with the duty of providing ballots for any polling place shall provide therefor two sample ballots which shall be arranged in the form of a diagram showing the entire front of the voting machine as it will appear after the official ballots are arranged for voting on election day. Such sample ballots shall be opened to public inspection at such polling place during the day next preceding election day.

§ 5. Section one hundred and seventy-three of said chapter nine hundred and nine, as added by chapter four hundred and sixty-six of the laws of eighteen hundred and ninety-nine, is hereby amended to read as follows:

§ 173. **Opening the polls; independent ballots.**—The inspectors of election and poll clerks of each district shall meet at the polling place therein, at least three quarters of an hour before the time set for the opening of the polls at each election, and shall proceed to arrange within the guard rail the furniture, stationery and voting machine for the conduct of the election. The inspectors of election shall then and there have the voting machine, ballots and stationery required to be delivered to them for such election; and if it be an election at which registered voters only can vote, the registry of such electors required to be made and kept therefor. The inspectors shall thereupon cause at least two instruction cards, and if printed in different languages, at least two of each language to be posted conspicuously within the polling place. If not previously done, they shall insert in their proper place on the voting machine, the ballots containing the names of offices to be filled at such election, and the names of candidates nominated therefor. If not previously done, they shall place all the counters on each voting machine so as to register zero, and shall not permit such counters to be thereafter operated, except by electors in voting. Before the polls are open for election, each inspector shall carefully examine every counter and see that it registers zero, and the same shall be subject to the inspection of the official watchers. Ballots voted for any person whose name does not appear on the machine as a nominated candidate for office, are herein referred to as independent ballots. Where two or more persons are to be elected to the same office, and each candidate's name is placed upon or adjacent to a separate key or device, and the machine requires that all independent ballots voted for that office be deposited, written or affixed in or upon a single receptacle or device, an elector may vote in or by such receptacle or device for one or more persons whose names do not appear upon the machine with or without the names of one or more persons whose names do so appear. In voting for presidential electors, an elector may

vote an independent ticket made up of the names of persons in nomination by different parties, or partially of names of persons so in nomination and partially of names of persons not in nomination, or wholly of names of persons not in nomination by any party. Such independent ballot shall be deposited, written or affixed in or upon the receptacle or device provided on the machine for that purpose. With these exceptions, no independent ballot shall be voted for any person for any office whose name appears on the machine as a nominated candidate for that office; any independent ballot so voted shall not be counted. An independent ballot must be cast in its appropriate place on the machine, or it shall be void and not counted.

§ 6. Section one hundred and seventy-nine of said chapter nine hundred and nine, as added by chapter four hundred and sixty-six of the laws of eighteen hundred and ninety-nine, is hereby amended to read as follows:

§ 179. **Disposition of independent ballots, and preserving the record of the machine.**—The inspectors of election shall, as soon as the count is completed and fully ascertained as in this act required, lock the machine against voting, and it shall so remain for the period of thirty days, except by order of a court of competent jurisdiction. Whenever independent ballots have been voted, the inspectors shall return all of such ballots in a properly secured sealed package endorsed “independent ballots”, and file such package with the original statement of canvass. It shall be preserved for six months after such election, and may be opened and its contents examined only upon order of the supreme court or a justice thereof, or a county judge of such county, and at the expiration of such time, such ballots may be disposed of in the discretion of the officer or board having charge of them.

§ 7. Section one hundred and eighty-two of said chapter nine hundred and nine, as added by chapter four hundred and sixty-six of the laws of eighteen hundred and ninety-nine, is hereby amended to read as follows:

§ 182. **Number of voters in election districts.**—For any election in any city, town or village in which voting machines are to be used, the election districts in which such machines are to be used may be created by the officers charged with the duty of creating election districts, so as to contain as near as may be six hundred voters each. Such re-districting or re-division may be made at any time after any November election and on or before August fifteenth following, and when so made shall take effect immediately. Where such re-districting or re-division shall be made in any town, the board making the same shall, on or before September first following, appoint from

the inspectors of election then in office—if sufficient therefor are then in office, and, if not, from persons not in office, sufficient to make up the requisite number—four inspectors of election for each election district thus created, two of whom shall belong to and be of the same political faith and opinion on state and national issues as one of the two political parties which at the last preceding general election for state officers shall have cast the greatest number of votes in said town, and the other two of whom shall belong to and be of the same political faith and opinion on state and national issues as the other of said two political parties. Thereafter no re-division of such election districts shall be made for elections by such machines until at some general election the number of votes cast in one or more of such districts shall exceed seven hundred.

§ 8. This act shall take effect immediately.

Mr. Fowler moved to concur in the Senate amendment.

Mr. Speaker put the question whether the House would concur in said amendment, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 102 }
{ NOES 60 }

Those who voted in the affirmative, were

Adams	Davis	Harburger	Meister	Scanlon
Adler	DeGraw	Harris	Nye	Seymour
Ahern	Dempsey	Hatch	O'Connell	Sherer
Allston	Dickey	Hawkins	O'Malley	Smith J E
Apgar	Dooling	Hitchcock	Patton	Smith J L
Babcock	Doughty	Honeck	Phillips	Smith S W
Baker	Dusinbery	Hyman	Plank	Smith W H
Bedell	Egan	Irwin	Platt	Snyder
Bell	Ellis	Kaiser	Price	Stevens
Bennet	Fancher	Keenan	Prince	Swarts
Blackwell	Fish	Kelly	Reilley	Swift
Bradley	Fisher	Kelsey	Remsen	Thorn
Brill	Fitzgerald	Knipp	Reynolds	Treat
Buckner	Fordyce	Landon	Rider	Vacheron
Bryan	Fowler	Lewis M E	Rierdon	Van Name
Burns	Galbraith	Lynn	Robinson	Waite
Cadin	Gardiner R	Mansfield	Rodenbeck	Walrath

Cook	Geoghan	Mathews	Ross	Weber
Coons	Griffith	McKeown	Ruehl	Weekes
Cotton	Halpin	McMillan	Sanders	Wilson H
Daly	Hammond			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendment of the Senate thereto.

At eleven o'clock and twenty-five minutes a. m. the House on motion of Mr. Kelsey took a recess for ten minutes.

ELEVEN O'CLOCK AND THIRTY-FIVE MINUTES, A. M.

The House again met.

Mr. Allds offered for the consideration of the House a resolution in the words following:

Whereas, the fees formerly paid to the health officer of the port of New York were sufficient to defray the entire expense of the quarantine establishment and of the health officer of the port of New York, with the exception of the salaries of the quarantine commissioners and extraordinary repairs or improvements of the quarantine establishment; and

Whereas, by reason of the increase in the commerce of the port of New York, the expenses of the quarantine establishment have greatly increased, and the fees paid by incoming vessels are inadequate to meet the expenses of the establishment and of the health officer of the port of New York, but such expenses are now partly paid by direct appropriation,

Resolved, That the Speaker of the Assembly be, and hereby is, authorized to appoint a subcommittee of the ways and means committee of the Assembly, consisting of three members, who shall be a special committee of this body with full power and authority to investigate the following subjects: The workings of the quarantine establishment and the duties of the health officer of the port of New York in relation to incoming vessels, and the amount of fees now paid pursuant to law by such vessels, to the end that such committee may determine what amendment of existing law is necessary or desirable in order that the quarantine establishment and the office of the health officer of the port of New York may be self-supporting. Such committee shall have full power to prosecute its inquiries in every direction necessary

to arrive at a full and accurate knowledge of such subject, and to enable it to obtain and report the facts in reference thereto.

Such committee is hereby authorized to incur necessary expenses for traveling and hotel accommodations, and necessary stenographic services. It shall have the power to require the production before it of any books, papers or documentary evidence of any character, and to compel the attendance of, and examine any witness. Such production of documents or attendance of witnesses may be required by subpoena, signed by the chairman or acting chairman of said committee, and served by the person whom he may designate. Any member of said committee may administer the oath to any witness before it, and shall exercise and enjoy all the powers, privileges and authority of a legislative committee with full power to enforce its directions and mandates. Such committee may meet after the adjournment of the Legislature, with power to sit outside the city of Albany, and shall report to the next Legislature the result of such investigation, with such recommendations and proposed legislation as in its judgment, the public interests require.

The expenses and disbursements of such committee not to exceed one thousand dollars, shall be paid out of the appropriation for the contingent expenses of the Legislature.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 90 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Coughtry	Gardner C J	Lewis M E	Roberts
Adler	Daly	Gardiner R	Lynn	Rogers
Allds	Darrison	Graeff	Mains	Ruehl
Allston	DeGraw	Hallock	Marson	Salyerds
Axtell	Dempsey	Hammond	McInerney	Scanlon
Baker	Dickey	Hanford	McMillan	Seymour
Baum	Dickinson	Harris	Meister	Smith A R
Bell	Doughty	Hawkins	Nye	Smith J L
Blackwell	Duross	Hitchcock	O'Brien	Smith S W
Brill	Desinbery	Holsten	O'Malley	Smith W H
Bruckner	Ellis	Honeck	Patton	Stevens
Burnett	Everett	Irwin	Phipps	Swarts
Cadin	Fancher	Kaiser	Platt	Thorn

Conger	Fish	Keenan	Poth	Treat
Cook	Fitzgerald	Kelly	Prince	Vacheron
Cooley	Fitzpatrick	Kelsey	Reilley	Waite
Costello	Fowler	Landon	Reynolds	Weber
Cotton	Galbraith	Lewis T D	Rider	Wilson H

Mr. Allds offered for the consideration of the House a resolution in the words following:

Resolved, That the Clerk of the Assembly be and he hereby is authorized and directed to combine and revise the several indices to the Session Laws, down to and including the session of 1901.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

}	AYES	90	}
}	NOES	00	}

Those who voted in the affirmative, were

Adams	Davis	Harburger	McQuade	Ross
Adler	Dempsey	Hasenflug	Meister	Salyerds
Ahern	Delaney	Hatch	Morgan	Sanders
Allston	Dickey	Hawkins	Nye	Seymour
Axtell	Dooling	Hitchcock	O'Brien	Sherer
Babcock	Duross	Holsten	O'Connell	Smith A R
Baum	Dusinbery	Hyman	O'Malley	Smith J E
Bedell	Ellis	Juengst	Orr	Smith J T
Bennet	Fish	Kaiser	Pattón	Smith S W
Bradley	Fisher	Keenan	Phipps	Snyder
Brill	Fitzpatrick	Kelly	Platt	Sullivan
Bruckner	Fordyce	Kelsey	Poth	Swift
Burnett	Frisbie	Landon	Prince	Traub
Cadin	Gardiner R	Lewis M E	Reilley	Ulmann
Cook	Geoghan	Mains	Reynolds	Van Name
Coons	Griffith	Mansfield	Rider	Walrath
Cotton	Halpin	McInerney	Robinson	Weekes
Daly	Hammond	McKeown	Rodenbeck	Wilson H

Mr. Roberts offered for the consideration of the House a resolution in the words following:

Resolved, That the Speaker of the Assembly be, and he hereby is authorized to appoint seven members of the Assembly, who shall be a special committee of this body with full power and authority to investigate, all and singular, the following subjects,

viz.; Whether the Constitution should be so amended as to allow the cutting and sale under proper restrictions, of the so-called ripe timber on lands owned by the State within the Forest Preserve; what additional legislation is required to preserve the forests and provide for their development and use; also, whether or not the Game and Forest Laws are being violated, and, if so, what remedial measures are necessary to secure their proper enforcement; to investigate the assessment and taxation of lands within the forest preserve counties, and recommend such measures as may be necessary to insure the assessment of wild and forest lands in accordance with the provisions of the tax laws, to visit the State hatcheries operated by the Forest, Fish and Game Commission, examine into the condition and extent of the property, and methods of operating; such committee shall have full power to prosecute its inquiries in every direction necessary to arrive at a full and accurate knowledge of said subjects; and to enable and report the facts in reference thereto.

Said committee is hereby authorized to employ a clerk and such other employees and assistance as it may find necessary, and to incur necessary expenses for committee rooms traveling and hotel accommodations. It shall have the power to compel the production before it of any books, papers or documentary evidence of any character, to compel the attendance of, and examine any witnesses. Such production of documents or attendance of witnesses may be required by subpoena, signed by the chairman or acting chairman of said committee, and served by the person or persons whom he may designate. Any member of said committee may administer the oath to any witness before it, and shall exercise and enjoy all the powers, privileges and authority of a legislative committee, with full power to enforce its directions and mandates. Such committee may meet after the adjournment of this Legislature, with power to sit outside of the city of Albany, and shall report to the next Legislature the result of such investigation, with such recommendations and proposed legislation as in its judgment the public interests require.

The expense of such investigation, not to exceed five thousand dollars, shall be paid out of the appropriation for the contingent expenses of the Legislature.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 90 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	Darrison	Hanford	McKeown	Rogers
Adler	DeGraw	Harburger	McQuade	Ruehl
Ahern	Dempsey	Hasenflug	Morgan	Sanders
Allds	Dickey	Hawkins	O'Brien	Scanlon
Apgar	Dooling	Henry	O'Connell	Sierer
Axtell	Doughty	Holsten	O'Malley	Smith A R
Baker	Dusinbery	Honeck	Orr	Smith J E
Bedell	Ellis	Irwin	Patton	Smith J T
Bennet	Fancher	Kaiser	Phipps	Smith W H
Brill	Fisher	Keenan	Platt	Snyder
Brooks	Fitzgerald	Kelly	Poth	Sullivan
Bryan	Fordyce	Kelsey	Prince	Swift
Burnett	Frisbie	Landon	Reilley	Thorn
Cadin	Galbraith	Lewis M E	Remsen	Treat
Cook	Gardner C J	Lynn	Richter	Vacheron
Coons	Graeff	Mains	Rierdon	Waite
Cotton	Griffith	Marson	Robinson	Weber
Coughtry	Halpin	Mathews	Rodenbeck	Wilson H

Mr. Fancher offered for the consideration of the House a resolution in the words following:

Resolved, That the Speaker's stenographer be and he hereby is authorized and directed to remain for a period of twenty days after the adjournment of this Legislature, to perform any duty that may be required of him by the Speaker or Clerk.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 91 }
{ NOES 00 }

Those who voted in the affirmative, were

Adams	DeGraw	Hatch	McQuade	Salvyerds
Adler	Dempsey	Hawkins	Meister	Scanlon
Allds	Dickinson	Hitchcock	Nye	Seymour
Allston	Doughty	Honeck	O'Connell	Sherer
Apgar	Dusinbery	Hyman	O'Malley	Smith J E
Babcock	Ellis	Juengst	Patton	Smith J T

Baum	Fish	Kaiser	Phipps	Smith S W
Bell	Fitzgerald	Keenan	Plank	Snyder
Blackwell	Fordyce	Kelly	Poth	Sullivan
Bradley	Fowler	Kelsey	Prince	Swarts
Brooks	Galbraith	Landon	Reilley	Thorn
Bryan	Gardner C J	Lewis M E	Remsen	Traub
Burnett	Geoghan	Lewis T D	Richter	Ulmann
Cadin	Griffith	Lynn	Rider	Van Name
Conger	Halpin	Mains	Roberts	Walrath
Cooley	Hammond	Marson	Rodenbeck	Weber
Costello	Harburger	McInerney	Rogers	Weekes
Coughtry	Harris	McKeown	Ruehl	Wilson H
Darrison				

Mr. O'Mally offered for the consideration of the House a resolution in the words following:

Resolved, That the Sergeant-at-Arms of the Assembly be directed and authorized to take charge and perform all necessary duties required by any committee of the Assembly that shall conduct any investigation or examination authorized by the Assembly to be performed by said committees during recess.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. M. E. Lewis offered for the consideration of the House a resolution in the words following:

Resolved, That A. D. Lawrence, chief messenger in charge of pages, be directed to remain for thirty days after the adjournment of the Legislature, to see to the proper shipping of the boxes and other matters for the members, under the direction of the Clerk of the Assembly.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Everett offered for the consideration of the House a resolution in the words following:

Whereas, the library of the Assembly should be accessible at all times during the year to the members of the Assembly and the officers thereof, and the printed reports, documents, laws and journals should be kept intact, and proper indices provided for present reference and future guidance; therefore,

Resolved, That the librarian and assistant librarian of the Assembly, under and in compliance with its rules, be requested, and they are hereby authorized and directed to devote the neces-

sary time and use proper diligence, until their successors are duly appointed according to law, in preserving all records, books, documents and proceedings composing the Assembly library and preparing indices therefor, and that they afford the facilities during said term for proper access to said library.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 90 }
 } NOES 00 }

Those who voted in the affirmative, were

Adams	Daly	Graeff	Mathews	Ruehl
Adler	Darrison	Griffith	McInerney	Sanders
Ahern	DeGraw	Halpin	McMillan	Schneider
Allston	Dempsey	Hanford	Meister	Seymour
Axtell	Dickey	Harris	Nye	Smith A R
Baker	Dickinson	Hatch	O'Connell	Smith J E
Bedell	Doughty	Henry	O'Malley	Smith J T
Bennet	Duross	Holsten	Orr	Smith W H
Bradley	Dusinbery	Hyman	Phillips	Stevens
Brooks	Everett	Juengst	Phipps	Sullivan
Bryan	Fish	Kaiser	Plank	Swift
Burns	Fitzgerald	Keenan	Prince	Thorn
Conger	Fordyce	Kelly	Rainey	Treat
Cook	Frisbie	Knipp	Reynolds	Vacheron
Coons	Galbraith	Lewis M E	Rider	Waite
Cooley	Gardiner R	Lewis T D	Roberts	Weber
Cotton	Gardner C J	Lynn	Rodenbeck	Weekes
Coughtry	Geoghan	Mains	Rogers	Wilson H

Mr. Bennet moved to call up the Senate bill (No. 1562) entitled "An act to repeal chapter 107 of the Laws of 1875, entitled 'An act in relation to the treatment of animals'" (Rec. No. 483), for the purpose of taking from the table the motion to reconsider the vote by which said bill was lost.

Mr. McKeown raised the point of order that the House had gone out of the order of third reading of bills, and is now in the order of resolutions, and that therefore said bill cannot now be taken up or reconsidered.

Mr. Speaker decided the point of order well taken.

Mr. Bennet moved that the rules be suspended for the purpose of taking from the table the motion to reconsider the vote by

which said bill was lost, and to reconsider said vote and pass said bill.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Bennet, and it was determined in the negative.

{ AYES 52 }
{ NOES 64 }

Those who voted in the affirmative, were

Axtell	Coughtry	Griffith	Morgan	Salyerds
Baker	Davis	Hammond	Orr	Seymour
Bell	Dickey	Henry	Plank	Sherer
Bennet	Dickinson	Kelsey	Platt	Smith J T
Blackwell	Everett	Knipp	Poth	Smith W H
Bryan	Fancher	Landon	Price	Snyder
Cook	Fisher	Lewis M E	Rainey	Stevens
Cooley	Fowler	Lynn	Remsen	Van Name
Coons	Frisbie	Mains	Reynolds	Walrath
Costello	Galbraith	Mansfield	Rogers	Wilson H
Cotton	Graeff			

Those who voted in the negative, were

Ahern	Doughty	Hawkins	McMillan	Ruehl
Babcock	Duross	Holsten	McQuade	Sanders
Baum	Dusinbery	Honeck	Meister	Scanlon
Bedell	Egan	Irwin	Nye	Schneider
Bradley	Fish	Juengst	O'Connell	Smith A R
Brill	Fitzgerald	Kaiser	Patton	Smith J E
Brooks	Fitzpatrick	Keenan	Prince	Smith S W
Burns	Gardiner R	Kelly	Reilley	Sullivan
Cadin	Geoghan	Leggett	Richter	Swarts
Conger	Halpin	Marson	Rider	Swift
Daly	Harburger	Mathews	Rierdon	Thorn
Delaney	Harris	McInerney	Roberts	Vacheron
Dempsey	Hasenflug	McKeown	Robinson	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have non-concurred in the passage of the same.

Mr. Allds offered for the consideration of the House a resolution in the words following:

Resolved, That a committee of two be appointed by the Speaker to wait upon the Governor and inform him that the Assembly has completed its labors and that it is ready to adjourn.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Speaker appointed as such committee Messrs. Allds and Kelly.

Mr. Allds offered for the consideration of the House a resolution in the words following:

Resolved, That a committee of two be appointed by the Speaker to inform the Senate that the Assembly has completed its labors and that it is ready to adjourn.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Speaker appointed as such committee Messrs. Kelsey and Kelly.

The Senate returned the Senate bill (No. 1604, Senate reprint No. 1615) entitled "An act dividing the State into congressional districts" (Rec. No. 493), with a message that they have concurred in the amendments of the Assembly made thereto.

Ordered, That the Clerk return said bill to the Senate.

The Senate returned the following entitled bills, with a message that they have concurred in the passage of the same, without amendment:

"An act to provide for the payment of the claims of the Game-well Fire Alarm Telegraph Company for furnishing fire alarm signal boxes and certain other materials and labor, to the village of Far Rockaway." (No. 2498, Int. No. 1661.)

"An act to amend the Greater New York charter, as amended by chapter 466 of the Laws of 1901, relative to the police department." (No. 2592, Int. No. 1686.)

Ordered, That the Clerk transmit certified copies thereof to the mayor of the city of New York.

The Senate returned the following entitled Senate bills, with a message that they have concurred in the amendments of the Assembly thereto:

"An act to amend chapter 4 of the Laws of 1891, entitled 'An act to provide for rapid transit railways in cities of over 1,000,000 inhabitants.'" (No. 1167, Assembly reprint No. 2584, Rec. No. 367.)

"An act making an appropriation for the construction of buildings for the New York State Hospital for the Treatment of incipient Pulmonary Tuberculosis." (No. 501, Assembly reprint No. 2572, Rec. No. 145.)

"An act to amend chapter 222 of the Laws of 1866, entitled 'An act to amend the charter of the village of Saratoga Springs and the several acts amendatory thereof.'" (No. 1163, Assembly reprint No. 2576, Rec. No. 401.)

Ordered, That the Clerk return said bills to the Senate.

The Senate returned the following entitled bills, with a message that they have concurred in the passage of the same, without amendment:

"An act to amend the Forest, Fish and Game Law, relative to close season for black bass in certain localities." (No. 2555, Int. No. 1158.)

"An act relating to the payment of a percentage of the gross receipts due to a city or village from a corporation building or operating a street surface railroad, or a branch or extension thereof." (No. 1783, Int. No. 1304.)

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the following entitled bills:

"An act to amend chapter 182 of the Laws of 1898, entitled 'An act for the government of cities of the second class.'" (No. 1256, Senate reprint No. 1603, Int. No. 1019.)

"An act to amend the Election Law, in relation to the use of voting machines." (No. 1795, Senate reprint No. 1593, Int. No. 672.)

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the following entitled bills, with a message that they have concurred in the passage of the same, without amendment:

"An act to amend the Greater New York charter, as amended by chapter 466 of the Laws of 1901, relative to the department of docks and ferries." (No. 2590, Int. No. 1698.)

"An act to amend the Greater New York charter, as amended by chapter 466 of the Laws of 1901, relative to the board of city record." (No. 2589, Int. No. 1688.)

"An act to amend the Greater New York charter, as amended by chapter 466 of the Laws of 1901, relative to the department of education." (No. 2588, Int. No. 1687.)

"An act to amend the Greater New York charter, as amended by chapter 466 of the Laws of 1901, relative to the department of docks and ferries." (No. 2593, Int. No. 1689.)

"An act to fix the compensation of the recorder, city judge and judges of the court of general sessions, of the city and county of New York." (No. 2565, Int. No. 1690.)

"An act to provide for the payment of the claim of the Eureka Fire Hose Company for furnishing fire hose to the village of Far Rockaway." (No. 2365, Int. No. 1594.)

Ordered, That the Clerk transmit certified copies thereof to the mayor of the city of New York.

The Senate returned the bill (No. 2089) entitled "An act for the relief of Port Richmond Engine Company No. 3, in the borough of Richmond in the city of New York" (Int. No. 1465), with a message that this bill was again duly passed, a majority of all the senators elected voting in favor thereof, and three-fifths being present, the President stating the question to be "Shall this bill pass notwithstanding the objection of the mayor of the city of New York thereto?"

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the bill (No. 1704) entitled "An act to regulate the keeping of employment agencies in the city of Greater New York where fees are charged for registration or for procuring or assisting to procure employment or situations" (Int. No. 1276), with a message that this bill was again duly passed, a majority of all the senators elected voting in favor thereof, and three-fifths being present, the President stating the question to be "Shall this bill pass notwithstanding the objection of the mayor of the city of New York thereto?"

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the bill (No. 1912, Senate reprint No. 1395) entitled "An act to amend the Public Health Law and the acts amendatory thereof, in relation to pharmacy." (Int. No. 536.)

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the bill (No. 1677) entitled "An act to authorize the city of New York to pay the fair and reasonable value of public lighting actually furnished by Queens Borough Electric Light and Power Company" (Int. No. 1088), with a mes-

sage that this bill was again duly passed, a majority of all the senators elected voting in favor thereof, and three-fifths being present, the President stating the question to be "Shall this bill pass notwithstanding the objection of the mayor of the city of New York thereto?"

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the following entitled bills, with a message that they have concurred in the passage of the same, without amendment:

"An act to amend the Penal Code, relative to the contamination of salt wells." (No. 2513, Int. No. 1027.)

"An act to amend the Insurance Law, relating to title and credit guaranty corporations." (No. 2557, Int. No. 1683.)

"An act to amend chapter 339 of the Laws of 1884, relative to navigation on Chautauqua lake." (No. 2480, Int. No. 1613.)

"An act making an appropriation for the drainage of the Conewango creek, in the county of Chautauqua." (No. 2270, Int. No. 1548.)

"An act to authorize the New York and London Trust Company to increase the number of its directors." (No. 2568, Int. No. 1693.)

"An act to amend chapter 448 of the Laws of 1900, entitled 'An act to provide for the drainage of the Conewango creek in the county of Chautauqua and making an appropriation and reappropriation therefor'" (No. 2381, Int. No. 1090.)

"An act to amend the Election Law and the Town Law, relating to the appointment of inspectors of elections in towns." (No. 1371, Int. No. 594.)

"An act providing for the construction of a bridge over the Clark & Skinner canal, at Ohio street, in the city of Buffalo, and making an appropriation therefor." (No. 177, Int. No. 177.)

"An act to enable Charles E. Abbott to take the necessary examinations for admission to practice medicine in this State." (No. 2560, Int. No. 1685.)

"An act to amend the Code of Civil Procedure, relating to depositions." (No. 2217, Int. No. 636.)

"An act authorizing the construction of a new steel bridge over the Erie canal at Water street, in the village of Lyons, Wayne county, N. Y., and abutments and approaches thereto,

and making an appropriation therefor." (No. 1888, Int. No. 1353.)

"An act making an appropriation for the purpose of carrying into effect chapter 654 of the Laws of 1899, entitled 'An act to provide for the payment by the State of the salaries of all employes of a State department who enlisted as volunteers in the United States service for the war with Spain, during such service.' " (No. 2262, Int. No. 353.)

Ordered, That the Clerk deliver said bills to the Governor.

"An act to amend the charter of the city of Rochester, relating to the board of education of such city." (No. 1462, Int. No. 1017.)

"An act to provide for the payment of certain local assessments against State property in the city of Rochester, in the county of Monroe, and making an appropriation therefor." (No. 2578, Int. No. 1647.)

Ordered, That the Clerk transmit certified copies thereof to the mayor of the city of Rochester.

"An act to amend the Penal Code in relation to the sale or delivery of uncooked flesh foods on Sunday." (No. 2596, Int. No. 1699.)

"An act to amend chapter 182 of the Laws of 1898, entitled 'An act for the government of cities of the second class, relating to the alteration of names or grades of streets.' " (No. 2138, Int. No. 1492.)

Ordered, That the Clerk deliver said bills to the Governor.

"An act to amend chapter 14 of the Laws of 1880, entitled 'An act to further amend chapter 143 of the Laws of 1861, entitled An act to amend and consolidate the several acts in relation to the charter of the city of Rochester, and to consolidate therewith the several acts in relation to the charter of said city,' relative to expenses incident to improvements." (No. 2556, Int. No. 1648.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Rochester.

"An act to amend chapter 334 of the Laws of 1901, entitled 'An act in relation to tenement houses in cities of the first class,' in relation to the construction of buildings." (No. 2591, Int. No. 1671.)

Ordered, That the Clerk deliver said bill to the Governor.

"An act in relation to the construction, maintenance and operation of railroads upon Ashland place, in the borough of Brooklyn, in the city of New York." (No. 72, Int. No. 72.)

"An act to authorize the board of estimate and apportionment of the city of New York to audit and allow, and the comptroller of said city to pay to Peter Androvett, Albert Killmeyer as survivor of N. Killmeyer and Son, Gabriel Dissosway and B. Kreischer and Sons, for work done and supplies furnished for school purposes to school district number seven of the town of Westfield, Richmond county, New York." (No. 2495, Int. No. 1658.)

"An act to amend the Greater New York charter, as amended by chapter 466 of the Laws of 1901, relative to the licenses of teachers." (No. 2595, Int. No. 1697.)

"An act to amend the Greater New York charter, as amended by chapter 466 of the Laws of 1901, relative to the department of docks and ferries." (No. 2594, Int. No. 1696.)

Ordered, That the Clerk transmit certified copies thereof to the mayor of the city of New York.

The Senate returned the following entitled bills with a message that they have reconsidered their vote by which said bills were passed, and as amended have again passed the same:

"An act to amend chapter 772 of the Laws of 1896, relative to the salary of chief clerk of the district attorney of Kings county." (No. 2599, Int. No. 126.)

Ordered, That the Clerk deliver said bill to the Governor.

"An act to amend the charter of the city of Watervliet, relative to board of fire commissioners, etc." (No. 2598, Int. No. 1081.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Watervliet.

"An act to reappropriate certain unexpended balances of former appropriations." (No. 2597, Int. No. 1221.)

The Senate returned the following entitled bills with a message that they have concurred in the passage of the same without amendment:

"An act making an appropriation for certain expenses of government and supplying deficiencies in former appropriations." (No. 2601, Int. No. 1701.)

"An act to provide ways and means for the support of government." (No. 2600, Int. No. 1700.)

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the following entitled bills:

"An act in relation to Harbor brook and Onondaga lake in Onondaga county." (No. 2135, Senate reprint No. 1595, Int. No. 1200.)

"An act to amend chapter 220 of the Laws of 1897, entitled 'An act to provide for the requisition of land in the territory embraced in the Adirondack park, and making an appropriation therefor' in relation to the purchase of lands therein." (No. 1197, Senate reprint No. 1524, Int. No. 982.)

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the following entitled bills:

"An act making appropriation for the support of government." (No. 1041, Senate reprint No. 1591, Int. No. 173.)

"An act making appropriation for certain expenses of government and supplying deficiencies in former appropriations." (No. 2284, Senate reprint No. 1612, Int. No. 1372.)

"An act to amend chapter 182 of the Laws of 1898, entitled 'An act for the government of cities of the second class,' in relation to appointment of police court attendants." (No. 1102, Senate reprint No. 1586, Int. No. 933.)

Ordered, That the Clerk deliver said bills to the Governor.

"An act to ratify and confirm the acts of the bureau in the former police department of the city of New York known and designated as the general bureau of elections, the branch bureaus and clerks thereof between February 21, 1901, and March 13, 1901, and to provide for the payment of salaries, etc." (No. 2289, Senate reprint No. 1583, Int. No. 1099.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

The Senate returned the bill (No. 997, Senate reprint No. 1443) entitled "An act to amend the County Law relative to docks and bulkheads" (Int. No. 741), with a message that they have concurred in the passage of the same with the following amendment:

Strike out all after the enacting clause and insert the following:

Section 1. Article four of chapter six hundred and eighty-six laws of eighteen hundred and ninety-two, known as the county law, entitled "An act in relation to counties, constituting chapter eighteen of the general laws," is hereby amended by adding at the end thereof three new sections to be known as section eighty-two, eighty-three and eighty-four and to read as follows:

§ 82. Power to acquire wharves, docks and bulkheads by lease, purchase or process of law.—The board may upon the application of any town liable or to be made liable to taxation, in whole or in part, for the construction, leasing, purchasing or acquiring any dock, wharf, or bulkhead therein, pursuant to a vote of a majority of the electors of any such town, at an annual town meeting, authorize such town to lease, construct, build, repair and maintain a public dock or docks, wharf or wharves, bulkhead or bulkheads, and to acquire the same and for the benefit of such town, any uplands, or lands under water necessary for any such dock or docks, and any and all docks, wharf and bulkhead properties, and any rights, terms, easements and privileges pertaining thereto in such town, and not owned by said town; and such town may acquire the same by lease or by purchase, or by condemnation, as herein provided. The town board may agree with the owner of any such upland, land under water, dock, wharf, bulkhead, property, right, terms, easements, or privileges upon an annual rental, or price for the purchase of the same, and shall certify the agreement to the board, and if the said board approve such agreement, said town shall take from such owners, at such price, the necessary leases, conveyances and covenants for vesting said uplands, lands under water, docks, wharves, bulkheads, property, rights, terms, easements and privileges in and assuring the same to such town forever; and said owners shall be paid such price from the town funds as hereinafter provided. If, after a vote of a majority of the electors of any such town, as aforesaid, the board shall deem it necessary that such town should acquire possession of any such upland, land under water, dock, wharf, or bulkhead, property, rights, terms, easements or privileges, for public use, for which no price can be agreed upon between the owner thereof and said board, the same

may be acquired by proceedings under the condemnation law. Provided, however, no new dock, wharf, or bulkhead shall be located, constructed or built under the authority of this chapter within one hundred feet of any dock or wharf heretofore constructed under authority of any special statute.

§ 83. Regulations; rates of charges; purpose for which such moneys shall be used; restricting the use of docks and wharves on Sundays.—When any of the wharves, docks, and bulkheads leased, purchased or constructed under the provisions of this chapter relating thereto shall be open to public use, the town board of such town shall establish rules for the use thereof, and regulate the charges for wharfage and dockage of all vessels admitted thereto, and may alter such charges from time to time as the public trade may require and the said town board deem proper. The rates of wharfage and dockage, when so established, shall be posted on such dock, and printed on the back of all bills presented for wharfage and dockage, and the owner, consignee, or person in charge of any vessel shall not be required to pay the wharfage or dockage due on such vessel unless upon demand the bill printed in conformity with this act is presented to him. All rents, fees or charges, and all other moneys collected by the town board or under its direction for the use of any such dock shall belong to such town and be paid to such town to the credit of the fund to be known as the dock fund, to be used only in payment of the expense of such dock or docks as the town shall have and in the redemption of the debt created for the leasing, constructing or purchasing of docks, wharves, bulkheads, uplands and lands under water. Provided, however, and it is hereby directed that no license shall be granted to any vessel to make Sunday landing at any dock or wharf leased, purchased, constructed or built under the authority of this chapter, but it shall be lawful for any vessel having a license to take on and discharge passengers and freight at any such dock during week days; to make its regular landings on Sundays, upon such vessel entering into an agreement with the town board not to discharge excursions at any such dock on Sundays.

§ 84. Providing for the issuing of bonds and the redemption of the same and the levy of a dock tax.—Whenever the town board shall, upon the request of a majority of the electors of any such town as hereinafter provided, lease, or require by purchase or condemnation any wharf, dock, bulkhead, upland or lands under water in the manner hereinafter authorized, the supervisor of any such town shall prepare and issue the bonds of said town, to be called "Dock bonds, town of," signed, sealed and countersigned in the same manner as other bonds of

such town, and bearing not more than five per centum interest per annum, payable not less than thirty years after date, and redeemable at the option of the town board at the end of five years; the said bonds, when issued, shall be sold to the highest bidder for the same, but not below par, and the moneys realized from such sales shall be used as a fund to carry out the purposes of section eighty-two of this chapter. The supervisors of such town shall raise annually, the collection whereof shall commence the first year after the issuance of such bonds, by tax upon the estates in said town subject to taxation a sum equal to at least eight per centum of the total amount of such bonded indebtedness, and which shall be sufficient for and be applied exclusively to the payment of the interest and principal of such debt, within a period not exceeding thirty years from the issuance of said bonds; and the moneys arising from said tax shall be applied annually, and as fast as the same accumulate, to the redemption at par of said outstanding obligation.

§ 2. This act shall take effect immediately.

The Senate returned the bill (No. 829, Senate reprint No. 1251) entitled "An act to amend the Labor Law, relating to tenement-made articles" (Int. No. 543), with a message that they have concurred in the passage of the same with the following amendments:

Page 2, line 11, after the word "the" strike out the words "factory inspector" and insert the words "commissioner of labor."

Same page, line 18, after the word "the" strike out the words "factory inspector" and insert the words "commissioner of labor."

Same page, line 19, strike out the words "factory inspector" and insert the words "commissioner of labor."

Same page, line 20, strike out the words "factory inspector" and insert the words "commissioner of labor."

Same page, line 22, after the words "by the" and also after the words "if the" strike out the words "factory inspector" and insert the words "commissioner of labor."

Page 3, line 10, after the word "the" strike out the words "factory inspector" and insert the words "commissioner of labor."

Same page, line 12, at the end of line, after the comma, insert the following: "provided that no license shall be issued for any room in a tenement-house containing less than twelve hundred and fifty cubic feet of air, and provided further that no license

shall be issued for any room occupied during part of the twenty-four hours otherwise than as a workshop."

Same page, line 18, at the beginning of the line, strike out the words "factory inspector" and insert the words "commissioner of labor."

Same page, line 24, strike out the words "factory inspector" and insert the words "commissioner of labor."

Same page, line 25, strike out the words "factory inspector" and insert the words "commissioner of labor."

Page 4, at the beginning of line 12, strike out the words "the factory inspector" and insert the words "officers of the department of labor."

Mr. Allds, from the committee appointed to wait upon the Governor and inform him that the Assembly has completed its labors and is now ready to adjourn, reported that they had performed that duty.

Mr. Kelsey, from the committee appointed to wait upon the Senate and inform that honorable body that the Assembly has completed its labors and is now ready to adjourn, reported that they had performed that duty.

Messrs. Hill and McEwan, a committee from the Senate, appeared in the Assembly chamber and announced that the Senate has completed its labors and is now ready to adjourn.

Mr. Speaker announced the following as officers for thirty days, pursuant to section 1 of chapter 477 of the Laws of 1895:

Clerk—Archie E. Baxter.

Assistant clerk—Ray B. Smith.

Journal clerk—Henry L. Gates.

Index clerk—John A. Cole.

Deputy clerk—Charles H. Betts.

Mr. Speaker announced the following as officers of the Assembly to attend the opening of the next session, pursuant to chapter 682 of the Laws of 1892, as amended by chapter 24 of the Laws of 1893:

Doorkeepers—Alert H. Campbell, Myron H. Phelps.

Chief messenger—Anderson Lawrence.

Messenger—James H. Millard.

Pages—Dwight L. Goewey, Charles H. Foster, Max Coplon, Jerry Moore, Eddie Mathews, Robert H. D. Thompson.

Mr. Frisbie offered for the consideration of the House a resolution, in the words following:

Resolved, That the thanks of the minority be extended to the Hon. S. F. Nixon, Speaker of the House, for his impartial rulings and his gentlemanly and courteous treatment of the minority at all times during the session of the Assembly.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Speaker said:

Gentlemen of the Assembly: The time for our final adjournment has now arrived, and I confess that it is not so early by two weeks as I expected when we organized on the 2d day of last January. This later date is not due to any lack of industry on our part. We have completed our calendar of business nearly every day, and all routine and local legislation was very promptly disposed of, but the very important bills which have come before us (and I remember of no session in which there were so many that took up new and far-reaching problems) could not be hastily disposed of. The public hearings granted have consumed a great deal of time, and it is to the credit of the various committees that they have manifested a hearty desire to hear from all the people interested in the important measures under consideration. It amounted almost to a popular referendum in some cases, when representative people from all parts of the State met in this chamber week after week and were asked to give free expression to their opinions, necessities and desires. It all took time, but it showed that these committees were determined to be in close touch with popular sentiment, and the special information brought out was of great value not only to the committees but to other members in attendance in coming to a wise conclusion. In my address to you on taking the chair at the beginning of the present session I said, with reference to the promises made during the last political campaign by the party which was successful: "I hold that the pledges made to the people during a political campaign are as binding as promissory notes, and as sacred as the solemn oaths we take when we assume the duties of office." It is my pleasure to state that these pledges of economy and reform have been kept, and the promised reduction of burdens

upon the taxpayers has been made. I am especially gratified that there will come relief to those who till the soil and whose labor makes beautiful the hills and valleys of our State. Their profits are small, but their products are the most essential of all to the life and prosperity of the commonwealth. I am equally pleased at the relief which will come to the great army of working men who have bought their homes, and find in some localities that the periodical demand of the taxgatherer requires all the ready money they have. The State tax rate this year will be the lowest of any year since 1854. During the period of forty-seven years since that date the State tax rate has several times been over seven mills, and once, in 1872, it was over nine mills. The exceptionally low rate of 1891 (one mill thirty-seven hundredths) was due to using a surplus left over in the treasury from Republican administration, and also to the conversion of two millions of dollars paid to the State for an old claim against the national government. But even that rate is lowered by the present State administration, which calls for a direct tax of only 1.20 mills upon each dollar of valuation. This result has been accomplished partly by means of other taxes levied upon wealthy corporations that can well afford to pay, and also by a policy of economy and retrenchment, the keynote of which was sounded by Governor Odell in his first message to the Legislature. The annual appropriations for the support of the State government and the various charitable, educational and military establishments for which it is responsible have been reduced two millions of dollars, and yet not a dollar has been taken from the usual appropriations for the benefit of agriculture nor from the munificent allowances always made to our magnificent school system. On the other hand there are some appropriations which are special and unusual, such as that of \$200,000 for the preservation of the Palisades and \$100,000 for the proposed hospital for consumptives. The appropriation for good roads was increased to \$420,000.

A great saving has been effected in the Lunacy Department, having in charge the State care of insane. We point with pride, and the members composing the majority of this body are entitled to their full share of the credit, to the achievements of this Legislature in the line of improved methods of taxation and reform in methods of State administration, all of which have met the cor-

dial approval of Governor Odell and most of which were suggested by him.

Among these we may mention the following:

The tax upon the surplus of savings banks is expected to yield \$700,000.

The tax upon the surplus of insurance companies will produce another \$700,000.

The tax upon trust companies, which are virtually the same as banks, but have heretofore escaped the usual bank taxes, will be about \$1,300,000.

There is also a tax upon manufacturing corporations having less than 40 per cent. of their capital invested in this State, which will yield a large sum.

The bill making the tax uniform upon banks, for local purposes, we believe will be quite satisfactory in its practical operation.

The more liberal corporation laws enacted will lead to more of the great corporations being organized in this State, instead of in a neighboring State, with consequent increase in our revenues.

The inheritance taxes will be collected with much less cost than heretofore.

The consolidation of the Labor Commissions, the Forestry Commissions, concentrating the duties of the Prison Commission and the State Board of Health each in one officer with moderate salary, will effect an important saving in the aggregate, estimated at half a million dollars, while the efficiency of these commissions will not be decreased.

There have been also some important measures passed without reference to revenue. Among these are the Employers' Liability Law, and the more stringent Anti-Sweat Shop Law. These are in the interest of labor, and if they do not accomplish all that may be desired by labor organizations, they are in the right direction and can be perfected in the future.

The obnoxious act conferring extraordinary powers upon the Ramapo Water Company was promptly repealed when it was found that these powers were liable to be exercised to the detriment of Greater New York and other municipalities.

The New York city election bureau has been entirely separated from the police department, and a general revision of the Greater

New York charter has been made, in the interest of economy and good government. Ninety per cent. of these amendments came directly from the able commissioners who were appointed to revise the charter, and are the result of their painstaking labor. A municipality whose annual revenues amount to one hundred millions of dollars, must necessarily have a charter that is somewhat complicated, and it will require considerable experience in its operation to perfect it.

The amendments to the Liquor Tax Law have occasioned warm discussion and they will lead to more strict enforcement hereafter. The injunction clause, which was most earnestly opposed, is so guarded that the apprehensions of tyrannical proceedings and blackmailing prosecutions, will be found baseless. No law-abiding dealer will be harmed. Those who persistently and flagrantly violate and defy the law do not deserve the sympathy of any good citizen.

The most important measure before us that failed of enactment was the mortgage tax bill. The division of opinion on that measure indicated that the subject must be studied and there must be a season of education among the people to decide what they want. This much is certain; that the present law for the taxation of personal property is grossly unequal in its operation and miserably inefficient. Year by year the wealth of the State increases and the proportion of personal property on the tax rolls decreases. Worse than that, it is the widows and orphans and conscientious citizens whose mortgages get on to the tax rolls, while wealthier people by various devices avoid such liability altogether. I believe that a uniform tax should be imposed, which can be collected from all alike. I trust that public sentiment will be so crystallized before another Legislature meets, that a remedy will be found for the present unjust system, and a law promptly enacted in the interest of justice as between those who are and those who should be taxed for the support of government.

The ideal tax system in my view will be one which shall compel every citizen and every corporation to contribute to the support of government and public improvements in exact proportion, as near as may be, to their ability to make such contribution.

Without going into details I simply insist that all should be taxed or none, and the tax should not be left alone upon those least able to pay it. I would also suggest that a small tax that can be uniformly collected may yield more than a large tax that can be easily evaded. I trust that you will take this problem home with you, and talk it over with your neighbors, and that those of you who return here next January will come prepared to give it a wise and just solution.

In conclusion I wish to thank you all for your consideration and support. The good will you have manifested in so many ways will never be forgotten. On my part I can simply declare that the pledge which I made to you to enforce the rules with strict impartiality and to treat every member with exact fairness and equal courtesy, it has been my conscientious endeavor to fulfill. You are the best judges of how well I have succeeded.

Wishing you all a joyous return to your homes, and congratulating you upon the honorable and distinguished record you have made in this, the first Legislative chapter of our twentieth century history, I declare the Assembly of 1901 adjourned without day.

A. E. BAXTER,
Clerk.

INDEX TO ASSEMBLY JOURNAL.

1901.

This Journal is indexed upon the following plan:

1. Every bill relating to a locality may be found indexed under the name of that locality and ordinarily will not be found indexed under the subject to which it relates.

2. All bills relating to Kings county will be found under the Borough of Brooklyn, and all bills relating to Greater New York under New York City and Boroughs of Manhattan, Bronx, Brooklyn, Richmond and Queens.

3. Every general bill will be found indexed under the proper subject.

4. Every resolution, excepting those recalling bills, will be found under "Resolutions."

5. Every bill relating to canals will be found under "Canals."

6. The bills relating to general laws under the proper heads, *i. e.*, "Banking Law," "Benevolent Orders Law," "Game Law," "Lien Law," "Revised Statutes," &c., &c., also under the head "General Laws."

7. All claim bills under "Claims."

8. Bills relating to cities of either class under "Cities of 1st Class," "Cities of 2d Class," &c., &c.

9. All Code amendments under the heads of "Code Civil," "Code Criminal," &c., &c.

10. All petitions under "Petitions," and reports under "Reports."

11. All points of order under "Points of Order."

12. All decisions and acts of Speakers under "Speaker."

13. Privileges of floor under "Privilege."

14. All matters not relating to bills under the proper head.

15. The numbers used in this index, *viz.*: "Int. No.," refers to Assembly bill and its introductory number, and when "Rec. No." is used, it refers to a Senate bill and its reception number.

I N D E X.

	PAGE.
A.	
Abbott, Charles E., relative to examination for admission to practice medicine (Int. No. 1685).....	3374, 3813, 3818, 4137
Action, relative to persons whose rights have been impaired by any municipality (Rec. No. 411).....	3205, 3358 3489, 3538
Adams, Charles E., appointed assistant clerk to committee on engrossed bills	62
Adirondack park, relative appropriation for purchase of land (Int. No. 982) . .869, 1713, 1842, 1875, 2022, 2107, 4022, 4140	
Adirondack park, relative appropriation for extension of Forest Preserve (Int. No. 1383)....	1870, 1510, 2693, 2767, 2891 3076, 3187, 4032
Adirondacks, relative to establish a state hospital for treatment of tuberculosis (Int. No. 168).....	91
Adirondack park, relative appropriation for acquisition of land (Int. No. 34)	66
Adirondack park, relative appropriation for acquisition of land (Rec. No. 64)	777, 1147, 1269
Agriculture, relative to promotion of, and appropriation of moneys collected and due from racing associations (Int. No. 1502)	2278
Agriculture, relative to promotion of, and appropriation of moneys collected and due from racing associations (Rec. No. 340)	2747

Agricultural Law, to amend, relative distribution of moneys to agricultural societies (Int. No. 720) . . .	419, 919, 1066, 1132 1167, 1393, 1452, 1655, 1742
Agricultural Law, to amend, relative distribution of moneys to agricultural societies (Rec. No. 174) . . .	1582, 1737, 1842, 1919
Agricultural Experiment Station, relative to provide office and library facilities (Int. No. 736)	464
Agricultural Experiment Station, relative appropriation for office and library facilities (Rec. No. 186)	1584, 2546, 2782 2885, 3015, 3097, 3200
Agricultural Law, to amend, relative to sale and transporta- tion of calves (Rec. No. 431)	3257
Agricultural Law, to amend, relative to sale and trans- portation of calves (Int. No. 1549) . . .	2506, 3224, 3277, 3325, 3491
Agricultural Law, to amend, relative to inspection of dairy products (Int. No. 1043)	1009
Agricultural Law, to amend, relative diseases of domestic animals (Int. No. 2)	52, 188, 216, 220, 223, 243, 2666, 2744
Agricultural Law, to amend, relative diseases of domestic animals (Rec. No. 25)	421
Agricultural Law, to amend, relative to small fruit pack- ages (Int. No. 406)	184, 300, 361, 368, 481, 515, 644, 755
Agricultural Law, to amend, relative prevention of disease in fruit trees (Int. No. 27)	65, 1441, 1617
Agricultural Law, to amend, relative to San José scale and transportation of nursery stock (Rec. 372) . . .	3148, 3224, 3287
Agricultural Law, to amend, relative to San José scale and transportation of nursery (Int. No. 1560)	2508, 2884, 2908 3180, 3236

Agricultural Law, to amend, relative to milk cans (Int. No. 507).....	261, 1164, 1267, 1391, 1593, 1687, 2016, 2089, 3254
Agricultural Law, to amend, relative to fats in milk (Int. No. 937)	822, 1163, 1267, 1293, 1444, 1527, 3254
Agricultural Law, to amend, relative to fraud in sale of Paris green (Rec. No. 404).....	3207, 3359, 3488, 3533
Agricultural Law, to amend, relative to prohibition of certain shows and exhibitions (Int. No. 562).....	289
Agricultural Law, to amend, relative to time of holding the State Fair (Rec. No. 115).....	1084, 1442, 1618, 1650, 1936, 2033 2138, 2345
Agriculture, relative to promotion of, and appropriation for the State Fair (Rec. No. 288).....	2215, 2509, 2610, 2731, 3188 3273, 3324, 3380, 3462
Agricultural Law, to amend, relative to fraud in sale of Paris green (Int. No. 1006)....	959, 1163, 1266, 1390, 1593, 1687
Agricultural Law, to amend, relative to penalties (Rec. No. 196).....	1705, 2679, 2785, 2938, 3055, 3119, 3183
Agricultural Law, to amend, relative to sale of poultry (Int. No. 1186)	1327, 2884, 3023, 3122
Agricultural Law, to amend, relative to vinegar (Int. No. 229).....	118, 624, 728, 749, 835, 1001, 1130, 1183, 1330, 1444, 2500
Agricultural Law, to amend relative to cider vinegar manufacturing (Int. No. 1254).....	1486
Albany city:	
government of, to provide for, relative to buildings in city (Int. No. 541).....	267, 474, 576, 594, 748, 803, 1417, 1979 2214, 2336, 2562, 2610, 2894, 3472
Albany Cemetery Association, to incorporate, relative to election of trustees (Int. No. 1449).....	2054

Albany city—Continued:

PAGE.

city treasurer, relative to cancel and annul certain sales in the Eighteenth ward (Int. No. 945).....	823, 2550, 2606
city treasurer, relative to cancel and annul certain sales in the Eighteenth ward (Int. No. 944).....	822
city court, relative to jury list and regulating the prac- tice therein (Int. No. 1642)....	3007, 3315, 3378, 3445, 3799
Albany Hospital, relative to incorporate (Int. No. 1292).....	1455, 1545, 2070, 2179, 2387, 2501
House of Shelter, relative to commitments (Int. No. 124)	1143
	1510, 1566, 1674
aldermen, relative to provide for payment of salaries (Int. No. 1289).....	1545, 2002, 2140, 2177, 2224, 2309
board of public instruction, to create and establish free schools (Int. No. 1384)...	1870, 2905, 3021, 3160, 3324, 3356
	3486, 3490, 3514, 3801

Albany county:

Albany County Charity Foundation, to incorporate (Rec. No. 88).....	874, 1382, 1481, 1536
county jail, relative commitment of tramps, etc., and compensation of sheriff (Int. No. 1157)...	1288, 1643, 1971
	2010, 2181, 2260
county jail, relative commitment of tramps, etc., and compensation of sheriff (Rec. No. 281)....	2150, 2374, 2488
	2598, 2777, 2924, 3055, 3201
public business in, transaction of, to regulate (Rec. No. 35).....	527, 853, 948 983
Albany and Rensselaer Bridge Co., relative to incorporate (Int. No. 1681)	3373

Albion, relative to legalize the acts of Justus W. Wright, a justice of the peace (Int. No. 1169).....	1290, 2063, 2186, 2219 2386, 2471, 2741
Alimony after remarriage of plaintiff, relative to relieve defendants from payment (Int. No. 1233).....	1420
Allegany Indian Reservation, relative construction of bridge over Allegany river in the town of South Valley (Int. No. 630).....	364
American Jersey Cattle Club, relative to incorporate (Rec. No. 125).....	1143, 2069, 2186, 2266
Amherst, Erie county, relative appropriation for drain- age (Int. No. 544).....	268
Amsterdam, bridge over Erie Canal on Minaville street, rela- tive to construct (Int. No. 1501).....	2278
Amsterdam, relative to constructing buildings for fire de- partment (Int. No. 1207).....	1363, 2905, 3022, 3074, 3228, 3284
Amsterdam, to incorporate the city, relative to city officers (Rec. No. 321).....	2422, 2547, 2610, 2728
Amsterdam, charter of city, to amend, relative to city offi- cers (Int. No. 1208).....	1363
Amsterdam, charter of city, to amend, relative annexation of Rockton (Int. No. 1268).....	1488
Amsterdam, to incorporate city, relative to ward boundaries and annexation (Rec. No. 290).....	2215, 2359, 2487, 2576, 2648
Animals, repeal act relative treatment of (Rec. No. 483)....	3695 3914, 3993, 4132
Animals, relative to treatment (Int. No. 1682).....	3373
Appropriation bill (Int. No. 173)....	86, 670, 818, 857, 984, 1006 2953, 3134, 3381, 3914, 3940, 4140

Appropriations, "Supply bill" (Int. No. 1372)...	1796, 2511, 2687 2767, 2886, 2939, 3746, 3868, 4064, 4140
Appropriations, "Supplemental Supply bill" (Int. No. 1701).....	4061, 4139
Appropriation for paying interest on canal debt (Int. No. 397).....	171, 424, 482, 500, 596, 641, 1137
Appropriations, relative contingent expenses of Legislature (Int. No. 1).....	52
Appropriation, Palisades Commission (Rec. No. 456).....	3563
Appropriations, former, relative to reappropriate certain unexpended balances (Int. No. 1221)....	1365, 2675, 2782, 2885 3015, 3096, 3548, 4004, 4139
Appropriation State Hospital sewer, Binghamton (Rec. No. 463).....	3564
Appropriation relative to State Library (Int. No. 10).....	53, 123 134, 142, 143, 160, 413
Architecture, practice of, to regulate (Int. No. 471)....	230, 1148 1709, 1973, 2084, 2220, 2387, 2466, 2775, 2919, 4107
Associations for lending money on personal property, to incorporate (Int. No. 143).....	87
Associations for lending money on personal property, to incorporate (Int. No. 204).....	100
Associations for lending money on personal property, to incorporate (Int. No. 255)....	121, 391, 574, 845, 1013, 1265, 1305
Associations for lending money on personal property, to incorporate (Int. No. 396).....	171
Associations for lending money on personal property, to incorporate (Int. No. 694).....	415
Associations for lending money on personal property, to incorporate (Int. No. 1048).....	1009

Associations for lending money on personal property, to incorporate (Int. No. 1666).....	3209
Associations for lending money on personal property, to incorporate (Rec. No. 61)..	745, 1099, 1210, 1368, 1714, 1842, 1888
	1936, 2319, 2384, 2560, 2625, 2778, 3135, 3547
Assembly:	
adjournment to January 9, 1901.....	18, 51
adjournment without date.....	3205, 3311
appointment of a committee to prepare ballots for drawing of seats.....	17
appointment of a committee to wait upon the Governor.....	16, 18
appointment of a committee to wait upon the Senate..	16
	18, 597
Atkins, Fred A., elected second assistant doorkeeper..	15
Baxter, Archie E., elected Clerk.....	14
called to order by A. E. Baxter.....	7
clerk, appointments made by.....	61
clerk, election of.....	13
clerk be requested to invite clergymen to open sessions with prayer	17
clerk be requested to make usual contracts with postmaster and express companies for shipping documents, etc.....	17
clerk be requested to arrange seats for accommodation of the press.....	17
committee appointed to attend funeral of Senator Parsons	322
communication from Hon. John C. Davies, Attorney-General	2226

Assembly—Continued:

PAGE.

committee from Senate, ready to adjourn.....	4144
contest of seat, Isidor Cohn against Chas. S. Adler....	17
convening of	3
drawing of seats.....	48
election of a Regent of the University.....598,	600
Hines, William H., elected first assistant doorkeeper..	15
hours of daily meeting.....	54
Johnston, Frank W., elected sergeant-at-arms.....	14
Lammert, Henry C., elected official stenographer.....	16
Lewis, Hon. M. E., on the death of Senator Parsons...	321
list of members.....	3
message from the Governor.....	18
Nixon, S. Frederick, elected Speaker.....	9
officers to remain thirty days after adjournment.....	4144
officers to attend opening of next session.....	4144
Pollack, Henry, elected principal doorkeeper.....	15
rules of 1900, adoption of.....	18
rules of, relative to amendments.....	3318
Rodenbeck, Hon. A. J., on the death of Senator Parsons.	320
Speaker, appointments made by.....54, 62,	580
Speaker, election of.....	8
Speaker, opening address of.....	9
standing committees	55
Wu Ting-Fang, introduced by the Speaker.....	105
Regents of the University, nomination of.....	577
Superintendent of Public Instruction, election of..598,	600
Atkins, Fred A., elected second assistant doorkeeper.....	15

Attica, relative to legalize the official acts of the assessors, trustees and collectors (Int. No. 262)	122, 278, 300, 369, 408
Attica, relative to legalize the official acts of the assessors, trustees and collectors (Rec. No. 11)	294
Auburn, relative to borrow money and issue bonds for pay- ing East Genesee and Genesee streets (Rec. No. 369)	3147
	3263, 3361, 3485, 3499
Auburn, to revise charter of city, relative action in city court (Int. No. 974)	827, 1091, 1207, 1263, 1393, 1461, 1867
	2592
Auburn, to revise charter of city, relative police depart- ment (Int. No. 975)	827, 1091, 1207, 1255, 1392, 1462, 1867
	2592, 2890, 2950, 3229, 3283, 3471
Auburn, charter of city, to revise, relative expenses of schools (Int. No. 510)	261, 395, 439, 596, 633, 818, 1418
Auburn, charter of city, to amend, relative streets and high- ways (Int. No. 830)	617
Auburn, charter of city, to amend, relative to streets and highways (Rec. No. 62)	746, 843, 948, 981, 1983
Auburn, relative to water supply (Rec. No. 114)	1084, 1373, 1481
	1538
Auctioneers, to prohibit certain sales by (Int. No. 573)	291, 910
Ausable chasm, relative to appropriate for State park or reservation (Rec. No. 384)	3152, 3478, 3571, 3626
Ausable chasm, relative to appropriate for State park or reservation (Int. No. 1137)	1142

B.

Ball, Michael, appointed assistant doorkeeper	62
Banks, J. V., appointed assistant doorkeeper	62

Banks:

PAGE.

banking corporations, to amend law, relative to (Rec. No. 24)	390, 2074, 2185, 2263, 2498, 3861
banking corporations, relative to provide for the disposition of dormant accounts (Int. No. 257)	121
Banking Law, to amend, relative to building and mutual loan associations (Rec. No. 199)	1705, 2074, 2186, 2551 2677, 2892
Banking Law, amend, relative payment for expenses reason foreign corporations (Rec. No. 474)	3694, 3727 3873
Banking Law, to amend, relative examination of agencies of foreign banks (Int. No. 1189)	1327
Banking Law, to amend, relative to examination of agencies of foreign banks (Rec. No. 279)	2150, 2441, 2568 2656
Banking Law, to amend, relative to rate of interest (Int. No. 1060)	1035
Banking Law, to amend, relative to lost certificates (Int. No. 837)	618, 1164, 1268
Banking Law, to amend, relative to lost certificates (Int. No. 1611)	2810, 3162, 3243, 3267, 3490
Banking Law, to amend, relative to lost certificates (Rec. No. 108)	1083, 1734, 1843, 1922
Banking Law, to amend, relative to lost certificates (Rec. No. 430)	3257, 3359, 3489, 3535
Banking Law, to amend, relative to private bankers (Int. No. 575)	291, 624
Banking Law, to amend, relative to private bankers and unauthorized banking (Int. No. 678)	389, 1735

Banking Law, to amend, relative to securities in which deposits in savings banks may be invested (Int. No. 1506....	2279
Banking Law, to amend, relative loaning available fund of savings bank for current expenses (Rec. No. 98)....	1008, 2677 2784, 3016
Banking Law, to amend, relative to powers and privileges of trust companies (Rec. No. 451).....	3483, 3562, 3570, 3607
Banking Law, to amend, relative reserve fund of trust companies (Int. No. 278).....	137
Savings banks, trust companies, etc., relative to unclaimed deposits (Int. No. 869).....	656
Barbers, occupation of, to regulate and inspection of shops (Int. No. 443).....	198, 1547, 1832, 1880, 2081, 2194
Barrow, Clarence A., appointed deputy clerk	62, 1703
Baxter, Archie E., elected clerk	14
Baxter, L. W., appointed stenographer	63
Baldwinsville, relative construction of bridge over side cut canal at Oswego street (Int. No. 733).....	464
Bedford, relative appropriation for State Reformatory for Women (Int. No. 476)	231
Bedford, relative appropriation for maintenance of State Reformatory for Women (Int. No. 399).....	171, 421, 575, 592 626, 732, 1137
Beer, ale or porter, relative to prevent fraud in sale of (Int. No. 570)	290
Beer, ale or porter, relative to prevent deception in manufacture and sale (Int. No. 1281)....	1509, 1619, 1646, 1831, 1914 2226, 3809, 3891, 3896
Bensel, Harry H., appointed page.....	62

Betts, Charles H., appointed deputy clerk to committee on engrossed bills	62
Bicycles, relative to transportation by steamboats (Int. No. 350)	164, 2806
Binghamton, to revise charter of city, relative to school buildings (Rec. No. 412)	3208, 3478, 3571, 3628
Binghamton, to revise charter of city, relative to school buildings (Int. No. 1597)	2755, 3160, 3225, 3326
Binghamton, relative to borrow money to meet temporary deficiencies (Int. No. 44)	68, 112, 162, 319
Binghamton, relative collection and disposal of garbage (Int. No. 243)	119, 176, 193, 216, 220, 240, 1138, 1542
Binghamton, to revise charter of city, relative to hackmen, etc. (Int. No. 411)	185, 988, 1067, 1121, 1168, 1278, 1703, 2212
Binghamton, relative appropriation for State hospital sewer (Int. No. 564)	289, 1423, 1617, 1645, 1831, 1910, 2414 2509, 2775, 2914
Binghamton, relative appropriation for State hospital sewer (Rec. No. 463)	3556, 3699, 3718
Black river water power, relative to appropriation (Rec. No. 390)	3153, 3330, 3477, 3566, 3580, 3813, 3831, 3872
Booth, David S., appointed mail and document carrier	62
Bowers, Frank K., appointed superintendent of wrapping department	62
Brennan, Edward C., relative examination for admission to the bar (Int. No. 1264)	1487, 2353, 2605, 2680, 2776, 2935 3179, 3237
Brighton, relative to construction of a steel bridge over the Erie canal (Int. No. 1649)	3070

Brockport, relative construction of a sewerage system for the State Normal school (Int. No. 1370).....	1795, 2811, 2941, 3797
Bronk, John, appointed page	62
Browne, John W., relative to examination, by State Board of Law Examiners (Int. No. 1395).....	1873, 2352, 1486, 2556 2602, 2719, 3550
Brownville, relative to town board of health (Int. No. 1505). ..	2279 2764, 3010, 3178, 3236, 3797
Brownville, to amend charter, relative to election of a police justice (Int. No. 1223).....	1365, 1821, 1875, 2017, 2090
Burial grounds, relative to lay out and improve (Int. No. 368)	167, 425, 483, 644, 911, 1065, 1121, 1266, 1318, 3065
Butler, William H., appointed janitor.....	62
Buffalo:	
Albany street, parts of, relative to releasing to owners of adjoining lands (Rec. No. 429)....	3257, 3361, 3488, 3526
Albany street, parts of, relative to releasing to owners of adjoining lands (Int. No. 1595)....	2755, 3261, 3326, 3491
Bailey avenue, relative to legalize proceedings for pav- ing (Int. No. 371)....	167, 588, 647, 663, 747, 813, 1358, 1864
Black Rock harbor, relative construction of a swing bridge at Ferry street (Rec. No. 391).....	3153, 3213, 3281 3477, 3570, 3604
bridge over Clark and Skinner canal, at Ohio street, relative construction (Int. No. 177)....	92, 3690, 3812, 3821 4137
Buffalo harbor, relative appropriation for removal of vegetable matter (Int. No. 1149).....	1215
Buffalo Merchants' Exchange, relative to incorporate (Rec. No. 379).....	3150, 3215, 3281, 3361, 3487, 3523

Buffalo—Continued:

PAGE.

Charter of city, to revise, relative to conveyance of land (Int. No. 921).....	775, 1091, 1205, 1253, 1296, 1347 1703, 2212
charter of city, to revise, relative to department of fire (Int. No. 800)....	525, 1088, 1200, 1255, 1393, 1456, 1568
charter of city, to amend, relative to department of public works (Int. No. 77).....	76, 201, 272, 315, 344, 401 596, 634
charter of city, to revise, relative to department of public works (Rec. No. 29)....	526, 719, 754, 789, 2043, 2046
charter of city, to revise, relative to office of mayor (Int. No. 1305).....	1630, 2905, 3021, 3076, 3268
charter of city, to revise, relative to payment of pen- sions to matrons of police force (Int. No. 1499).....	2278 2759, 3075, 3122, 3182, 3551
charter of city, to revise, relative to Police Pension Law (Int. No. 1097).....	1079, 1375, 1615, 1650, 1936, 2027 2502, 3204, 3671
charter of city, to revise, relative to police justice (Int. No. 1398).....	1873, 2157, 2237, 2287, 2562, 2622, 3662, 3800
charter of city, to revise, relative to public streets (Int. No. 1132)	1141, 2371
charter of city, to revise, relative to duties of school boards (Int. No. 833).....	617, 841, 943, 1004, 1264, 1308
charter of city, to revise, relative to duties of the school board (Rec. No. 107)	1083, 1223, 1301
certain property of city, relative to exempt from taxa- tion (Int. No. 674)....	388, 916, 968, 1031, 1722, 1875, 2081 2191, 3197, 3471

Buffalo—Continued:

PAGE.

charter of city, to revise, relative to taxes and tax sales (Rec. No. 144)	1324
charter of city, to revise, relative to taxes and tax sales (Int. No. 920)...775, 1091, 1205, 1255, 1297, 1349, 2501, 3204	
Common Council, relative to audit claim of bridge tenders (Int. No. 1191)....1327, 1493, 1620, 1889, 1931, 2081	2199
Douglass, Anthony C., claim of, relative to services rendered (Int. No. 405)	184
Douglass, Anthony C., claim of, relative to services rendered (Rec. No. 31).....526, 1374, 1480, 1562, 1674	3188, 4011
gas, relative to regulate the price and deposit of security with gas companies (Int. No. 826).....616, 1587	
Hamburg canal, relative to devote a portion of, for park purposes (Int. No. 1224).....1365, 1634, 1768, 1822	1886, 1949
liquors, allowing sale of, on Sundays during Pan-American Exposition (Int. 188).....	98
officers and employees in the civil service, relative to pay just debts and obligations (Int. No. 1325)...1706, 2002	2140, 2178, 2225, 2310
Ohio basin slip, relative to abandonment (Int. No. 1294) ...1545, 2811, 2941, 3017, 3074, 3269, 3323, 3350, 3868	
Pan-American Exposition Co., relative to issue mortgage bonds (Int. No. 1414)....1929, 2155, 2237, 2281, 2451	2573, 2593
Pan-American Exposition Co., relative to issue mortgage bonds (Rec. No. 333).....	2593

Buffalo—Continued:

PAGE.

Pan-American Exposition, relative to provide for proper police protection (Rec. No. 48) . . .	744, 990, 1020, 1059
Pan-American Exposition, relative to providing for proper police protection (Int. No. 613)	326, 839, 943 1004, 1015, 1053
police commissioners, relative to rehear and determine charges against Daniel Wilson (Int. No. 1402)	1927 2360, 2481, 2556, 2602, 2706
police commissioners, relative to terminate the terms of office and abolish certain offices (Int. No. 84) . . .	77, 271 393, 456, 601
railroad crossings, to regulate and change grades (Int. No. 79)	76, 297
railroad crossings, to regulate and change grades (Rec. No. 16)	327, 425, 484, 519
Scajaquada creek, to provide for dredging (Rec. No. 502)	3876, 4034, 4037
State property in, assessments for local improvements, relative appropriation (Int. No. 470)	230
steam railroad crossings at grade, relative to compen- sate property owners for damages received by closing streets (Int. No. 1596)	2755
St. Paul's church, relative to endowment fund (Rec. No. 52)	744, 854, 948, 982
telephone rates in, relative to regulate (Int. No. 913) . .	774

C.

Call of the House, moved by:

Mr. Allds.	106, 371, 2036, 2109, 2461, 2677, 2875, 3102, 3370 3440, 3457, 3513, 3558, 3708
--------------------	--

Call of the House, moved by—Continued:	PAGE.
Mr. Apgar	3465
Mr. Babcock	3615
Mr. Kelsey	1399, 1412, 2316
Campbell, A. H., appointed assistant doorkeeper.....	62
Canals:	
appropriation for improvement and enlargement of the	
Erie, Champlain and Oswego canals (Int. No. 1616)..	2811
	3059, 3219
canal bridge, Mechanicville (Rec. No. 504).....	4034, 4036
canals, to amend general laws, relative to (Int. No.	
665)	387
Canal Law, to amend, relative to chief clerk of the	
canal board bureau, comptroller's office (Rec. No. 213).	1792
	2759, 2887, 3052
canal board, relative to claims arising on canceled or	
forfeited contracts (Int. No. 1363).....	1795
extraordinary repairs on, to provide for (Int. No. 500).	253
	423, 483, 500, 596, 640, 3196, 3253
Erie, Champlain and Oswego canals, relative to reap-	
propriate the unexpended balance of the appropria-	
tion for improvement (Int. No. 398)....	171, 424, 575, 593
	626, 733, 1360
vertical wall on Erie canal, west side of bridge No. 131,	
relative to construct (Int. No. 320).....	156, 2811
	3123, 3172
	3269, 3323, 3351, 3870
Canastota, relative appropriation for stone arch over mouth	
of the State sewer (Int. No. 1453).....	2055, 3212, 3266, 3277
	3327, 3476, 3567, 3599, 3871

Canned or packed food stuffs, relative to stamping (Int. No. 274)	130
Catskill, relative appropriation for improvement of State armory (Int. No. 1028)	962
Catskill, relative board of education to maintain public library (Rec. No. 358)	2751, 3469
Catskill, relative board of education to maintain public library (Int. No. 1485) ...	2218, 3073, 3173, 3268, 3324, 3378, 3447
Catskill public library, relative to power to hold and dispose of real and personal property (Rec. No. 359)	2751, 3128
Catskill public library, relative to power to hold and dispose of real and personal property (Int. No. 1483) ...	2217, 2758
	2885, 2891, 3013, 3082
Cattaraugus Indian Reservation, relative construction of a bridge over Cattaraugus creek (Int. No. 629) ...	364, 2062, 2326
	2383, 2562, 2638, 3548
Cattaraugus county, relative to make the office of county clerk salaried (Rec. No. 1)	127
Cattaraugus county relative to make the office of county clerk salaried (Int. No. 43)	68, 115, 125, 134, 150
Cayuga and Seneca counties, to protect a crossing between, at Cayuga (Int. No. 655) ...	385, 919, 966, 1015, 1131, 1194, 2211
Cayuga and Seneca canals, relative bulkhead or dam at head of Factory race (Int. No. 1333)	1707
Cayuga and Seneca canals, relative guardlocks for regulating waters of Seneca lake (Int. No. 1332)	1707
Cayuga county, relative collection of taxes (Rec. No. 357) ..	2751
	3360, 3488, 3529

Charleston, S. C., Interstate and West Indian Exposition, relative appropriation for representation of the State of New York (Rec. No. 273)....	2149, 3214, 3312, 3357, 3490, 3576 3872
Chase, Floyd D., appointed Deputy Clerk.....	62
Chautauqua county, relative appropriation for draining Conewango creek (Int. No. 1090)...	1078, 2815, 3314, 3377, 3438 4137
Chautauqua county, relative to appropriation for drainage of Conewango creek (Int. No. 1548).....	2506, 3476, 3567 3581, 4137
Chautauqua lake, relative to running and inspection of steamboats (Int. No. 1613)...	2810, 3071, 3173, 3381, 3475, 3567 3602, 4137
Chautauqua county, boards of supervisors to make sheriff a salaried office (Int. No. 388)...	170, 851, 1065, 1115, 1810, 1884 2182, 2242, 2742
Chazy river, relative appropriation for rebuilding dam across (Int. No. 1439)	1994
Chemung county, relative appropriation for improving chan- nel of Newton creek (Int. No. 927).....	776, 3483, 3569, 3587
Chili, Monroe county, relative to enlarge culvert where Gen- esee Valley canal crosses Black creek (Int. No. 599).....	325
Chili, Monroe county, relative to release certain real estate in town of, to James Roder (Int. No. 1070).....	1037
Cigarettes, sale and manufacture of, to prevent (Int. No. 861)	655
Cities of the first class: assessments for public improvements, relative to equal- ize (Int. No. 1100).....	1079

Cities of the first class—Continued:

PAGE.

corporations supplying gas in, relative to regulate and define their powers (Int. No. 279).....	138
firemen in, relative to regulate the hours of duty (Int. No. 532)	266
gas companies in, relative to protect their meters (Int. No. 1216).....	1364
owners of property in, for relief of, relative to changing street grades (Int. No. 622)....	363, 1087, 1200, 1385, 1519 1598
public parks and playgrounds for children in, relative to regulate and maintain (Int. No. 1155).....	1288
subway companies, relative to automatic safety valves on manholes (Int. No. 1248).....	1422
telephone rates in, to regulate (Int. No. 816).....	582
tenement-houses in, relative to (Int. No. 1435)....	1994, 2364 2689, 2767, 2910, 3044
tenement-houses in, relative to (Rec. No. 364).....	2752
tenement-houses in, relative construction of buildings (Int. No. 1671).....	3258, 3328, 4035, 4050, 4138

Cities of the first, second and third class:

firemen's pension fund in, to provide for (Int. No. 1267).	1488
--	------

Cities of second class:

government of, relative to salary of aldermen (Int. No. 1019).....	961, 2760, 2889, 2948, 4120, 4135
government of, relative to alteration of names or grades of streets (Int. No. 1492).....	2277, 2548, 2606, 2680, 2777 2931, 4138
government of, relative to board of contract and supply (Int. No. 839)	618, 1370, 2760, 2886, 2907, 3013, 3102

Cities of second class—Continued:	PAGE.
government of, relative to city sealer (Int. No. 840)...	618
1224, 1299, 1391, 1593, 1688, 3798	
government of, relative to municipal lighting plants	
(Int. No. 1174)	1290
government of, relative to ordinances and franchises	
(Int. No. 963))	825
government of, relative to park commissioners (Int. No.	
361)	166, 839, 943, 1001, 1016, 1054, 3741, 3870
government of, relative to appointment of police jus-	
tice's clerk (Int. No. 933) ..	778, 1089, 1206, 1254, 1296, 1343
	4024, 4140
Cities of second and third class:	
annual reports of, relative to financial condition (Rec.	
No. 154)	1361
Cities, relative to employment of citizens for paving and	
reflagging streets (Int. No. 731).....	464
Cities and villages, relative to municipal control of public	
utilities (Int. No. 1397).....	1873
Citizens, relative to legalize rights, powers and duties	
vested in (Int. No. 1307).....	1631
Citizens of the State, relative to rights of (Int. No. 1236)....	1421
Civil Service Law, relative to amend (Int. No. 940)....	822, 1367
1473, 1513, 1655, 1748, 2023, 2091, 2742, 3787, 4030	
Civil Service Law, to amend (Int. No. 385).....	169, 847
Civil Service Law, to amend, relative to civil divisions (Int.	
No. 1170)	1290
Civil Service Commission, relative to appointment of physi-	
cians (Int. No. 1448).....	2054

Civil service, to amend the general laws, relative to (Int. No. 178)	92, 297, 392
Civil service, officers and employes, relative to retirement on half pay (Int. No. 990).....	870, 1367
Civil Service Law, to amend, relative to preferences allowed soldiers, sailors and marines (Int. No. 928).....	776
Civil Service Law, to amend, relative to veterans (Int. No. 747)	522
Civil Service Law, to amend, relative to veterans (Int. No. 1553)	2507
Claims of:	
Benedict, Maria A. (Int. No. 1038)....	963, 1119, 1201, 1253
1296, 1332, 2662, 2744, 3248, 3249, 3790	
Bouton, Elmer, and several others (Int. No. 1303) ..	1630, 2376
2485, 2555, 2603, 2714	
Brandow Printing Company (Int. No. 1389) ..	1871, 2370, 1389
2556, 2602, 2716, 3870	
city of Buffalo (Rec. No. 278).....	2150, 2377, 2487, 2574
Burgard, Henry P. (Int. No. 1445).....	2054
Cronk, Philander and Jerome. and several others (Int. No. 1629)	3004
Delehanty, James E. (Int. No. 1033).....	963
Deltry, Susan J., Eugene M. Draper and Julia Bergersrud (Rec. No. 162).....	1485, 1737, 1843, 1920
Deltry, Susan J., Eugene M. Draper and Julia Bergersrud (Int. No. 478).....	250, 856, 940, 997, 1130, 1183
Dinehart, William (Int. No. 318)....	155, 279, 380, 403, 531
606, 1360, 1925	

Claims of—Continued:

PAGE.

Farmer, Joseph C. (Int. No. 133).....	85, 433, 574, 592, 626 730, 1623, 2213, 3134
Finnigan, John (Rec. No. 126).....	1144
Galvin, Peter G. (Rec. No. 109).....	1083, 2377, 2489, 2579
Gifford, Cordelia C. (Rec. No. 171)....	1486, 2376, 2490, 2583 3129
Gifford, Cordelia C. (Int. No. 813).....	581
Hamill, James (Int. No. 924).....	775, 1119, 1207, 1253, 1296 1342, 1702, 2271
Hess, James M. (Rec. No. 459).....	3563
Hess, S. F., and Co. (Int. No. 354)....	165, 591, 645, 663, 748 806, 1623, 2213, 4003
Kinneally, Mary (Int. No. 248)....	120, 1119, 1351, 1386, 1518 1610, 3255
Leith, Sarah E. (Int. No. 14)....	63, 132, 147, 158, 182, 191, 737 868
Levy, Benjamin C. (Int. No. 780).....	523, 1164, 1266, 1292 1392, 1468, 3686
Lynch, Michael (Int. No. 822).....	583, 1119, 1203
Mathews, Wilbur K. (Int. No. 1542)....	2421, 2766, 2888, 2907 3012, 3099, 3550
McGough, John P. (Rec. No. 99).....	1008
Moore, John (Int. No. 1156)....	1288, 2375, 2486, 2555, 2602 2715, 3685
Murtaugh, William (Int. No. 534).....	266, 2376, 2485, 2557 2601, 2713
Owners of real estate on Park avenue, New York city (Int. No. 484).....	251, 855, 940, 1000, 1015, 1042, 3797

Claims of—Continued:

PAGE.

O'Brien, James J. (Int. No. 1045).....	1009
O'Keefe, Michael (Int. No. 120)....82, 180, 279, 314, 333,	405
445, 954, 1146	
Oswego Falls, arising from rebuilding dam at (Int. No.	
1004)....873, 1164, 1266, 1292, 1393, 1467, 2410, 2499, 3146	
3687, 3791, 3867	
Rochester, city of, and others (Int. No. 1016) ..	960, 2765, 3121
3176, 3327, 3566, 3592	
Wood creek, arising from use of, city of Rome (Int. No.	
858).....654, 2766, 2887, 2908, 3013, 3100	
Schaub, Barbara Eyer (Int. No. 152) ..88, 856, 921, 927,	940
979, 2409, 3059, 3060, 3791, 3867	
Sink, Isaac L. (Int. No. 1420).....	1930
Strohm, Michael (Int. No. 1528).....	2419
Suiter, George (Rec. No. 90).....875, 2377, 2490, 2584, 3061	
Thomas, Charles D., as administrator (Rec. No. 486)	
3696, 3874, 3913, 3934	
Thomas, Charles D. (Int. No. 1324).....	1706
Thompson, Mary C. (Int. No. 1546).....	2506
Tompkins, Thomas W. (Int. No. 892).....	739
Towns, villages and cities against railroads (Int. No.	
809).....581, 1099, 1203, 1254, 1295, 1470, 2346, 3003, 3681	
3700, 3890, 3895, 4030	
Wallace, Margaret J. (Int. No. 1637).....	3006
Westchester county (Int. No. 1579).....	2674
Westchester county (Rec. No. 397).....	3155
Clarke, E. M., appointed messenger.....	62

Clifton Springs Sanitarium Company, relative to application of insurance moneys to redemption of bonds (Int. No. 1168).....	1290, 1435, 1521, 1553, 1656, 1755, 1979
Clinton county, relative to legalize official acts of Wm. L. Riley as justice of the peace of town of Chazy (Int. No. 1558).....	2508, 3158, 3225, 3314, 3326, 3379, 3456, 3798
Clute, William, appointed page.....	62
Cobleskill, relative sale of bonds by board of education of union school district No. 1 (Int. No. 1311)...	1586, 2078, 2178 2226, 2293
Cobleskill, union free school district No. 1, relative sale of bonds (Rec. No. 259).....	1992, 2293
Code of Civil Procedure, to amend, relative to:	
section 56, admission of attorneys (Int. No. 714).....	419
section 58, period of clerkship of applicants for admission to the bar (Int. No. 1228).....	1419
section 66, liens of attorneys (Int. No. 551).....	288
section 66, attorneys' liens (Int. No. 1284)...	1490, 3217, 3278 3325, 3491
section 91, appointment and fixing salaries for criers of city court, Erie county (Int. No. 987)...	870, 2066, 2184, 2220 2385, 2467, 3254
sections 150 and 582, deposit of money in lieu of bail (Rec. No. 388).....	3153, 3558, 3698, 3726
section 191, appeals in actions upon a bond or undertaking (Int. No. 765).....	498, 1163, 1268, 1293, 1444, 1530*
sections 244, 245, 246, 247, 248, 249 and 250, court reporters (Int. No. 888)	659

Code of Civil Procedure, to amend, relative to—Continued:	PAGE.
section 269, judgments of the Court of Claims (Int. 1217)	1365, 1716, 1835, 1880, 2081, 2195, 3550
section 281, jurisdiction of the Court of Claims (Int. No. 652)	385, 1163, 1268, 1292, 1444, 1530, 2501
section 322, city court of city of New York (Int. No. 275) . .	130, 275, 426, 1228, 1433, 1522, 1554, 1739, 1896, 4031
section 3221a, reinforcement of certain judgments in favor of workingmen (Int. No. 244)	119, 1109, 1432 1616, 1931, 1936, 2034, 3135
section 383, statute of limitations as to certain actions (Int. No. 749)	466, 2428
section 396, limitations of actions (Int. No. 506)	260
section 447, party defendants (Int. No. 60) . .	71, 332, 453 779 964, 1015, 1131, 1195, 3796
section 452, bringing in additional parties (Int. No. 1536)	2420, 2902, 3023, 3074, 3228, 3286, 3871
section 469, appointment of a guardian for infant plaintiff (Int. No. 956)	824
section 469, allow infant plaintiffs to sue without rendering their guardian liable for costs (Int. No. 348)	164
section 522, denial of allegations of copartnership (Int. No. 675) . .	388, 1431, 1616, 1645, 1832, 1908, 2045, 2145, 3548
section 603, injunctions (Int. No. 1022) . .	961, 1432, 1616, 1645 1832, 1909, 2082
section 658, attachment (Int. No. 579)	291, 1715, 1973 2024, 2079, 2386, 2464, 3254
section 714, notice of application before judgment, when necessary (Int. No. 1651)	3070

Code of Civil Procedure, to amend, relative to—Continued:		PAGE.
section 716a, appointment of receivers (Rec. No. 118) ..		1143
		3216, 3283
sections 744, 746, 747, 748, 751, 752 and 753, court and		
trust fund, appointment of chief examiner (Int. No.		
1240)		1421
section 755, abatement of actions (Int. No. 1044)....		1009
		1431, 1616, 1645, 1832, 1908, 2067, 2207, 2241
section 791, action against corporations (Int. No. 144) ..		87
section 791, preferences among civil actions (Int. No.		
1180)		1326, 2431, 2566, 2599, 2776, 2927
sections 812, 2600 and 2601, bonds and undertakings		
(Int. No. 701)		417, 1491, 1717, 1837, 1880, 2081, 2198
		2386, 2456, 3548
section 829, testimony of an interested party (Int. No.		
707)		417
sections 834 and 836, competency of a witness (Int. No.		
885)		659, 914, 1067, 1121, 1168, 1276, 1305, 1483
section 872, depositions (Int. No. 636)		365, 2428, 3216
		3278, 3322, 3325, 3344, 4137
section 885, deposition to be used on motion (Rec. No.		
382)		3151, 3573, 3617
section 948, judgments rendered by justices of peace		
in other States (Rec. No. 473)		3694
section 999, motion for a new trial (Int. No. 687)		414
section 1012, references in actions for divorce (Int. No.		
70)		74, 427, 576, 592, 626, 734, 757, 1005, 1025
		1134, 1137, 1397, 1430, 2066, 2178, 2225, 2290
section 1058, number of jurors drawn (Int. No. 616)		327
		1112, 1351, 1387, 1593, 1691, 1866

Code of Civil Procedure, to amend, relative to—Continued:	PAGE.
section 1058, Supreme Court, Albany county (Rec. No. 165)	1485
sections 1097, 1099, 1100, 1101 and 1132, trial jurors in counties of New York and Kings (Rec. No. 370).....	3148
	3362, 3488, 3525
section 1127, exemption from jury duty of licensed engineers (Int. No. 239).....	119, 1111, 1351, 1389, 1593
	1689, 2346
section 1151, compensation to judges (Int. No. 149)....	87
section 1151, compensation of judges (Rec. No. 214)....	1792
	2429, 2569, 2605, 2732
section 1180, grounds for challenge (Int. No. 620)....	363, 781
	914, 1067, 1121, 1169, 1305
section 1180, grounds for challenge (Rec. No. 111)....	1083
	1433, 1977, 2011, 2182, 2259, 2502
section 1185, trial issues (Int. No. 1514).....	2348
section 1189, challenges of jurors (Int. No. 642).....	366
sections 1215 and 1216, rendering of judgments (Rec. No. 337).....	2746, 3557, 3699, 3719
section 1391, exemption from execution (Int. No. 323)..	156
	332, 453, 480, 596, 635, 1417
sections 1688a, 1688b, 1688c, receiving in evidence in actions or proceedings involving a title to real property (Int. No. 217).....	103, 783, 861, 921, 1005, 1030, 2501
section 1756, actions for a divorce (Rec. No. 84)....	874, 2900
	3025, 3118, 3184
section 1782, actions against directors, trustees and managers of corporations for misconduct (Int. No. 1056)	1011, 1490

Code of Civil Procedure, to amend, relative to—Continued: PAGE.

- section 1785, actions to procure judgment dissolving a
 corporation (Int. No. 1610).....2809, 3217, 3278, 3316
 3325, 3379, 3449
- section 1879, judgment creditors' actions (Int. No.
 1625)2899, 3217, 3266, 3327
- section 1903, actions for causing death of a decedent
 (Int. No. 761).....498, 1715, 1973, 2009, 2182, 2251
- section 2411, change of name of town or county
 co-operative insurance corporation (Rec. No. 344).... 2748
 2901, 3024, 3111
- section 2411, change of name of a town or county
 co-operative insurance corporation (Int. No. 1334)... 1707
- section 2528, appearance in any proceeding in the
 surrogate's court (Rec. No. 67).....828, 1109, 1209, 1281
- section 2535, publication of citations and orders in sur-
 rogates' courts (Int. No. 57)..71, 426, 576, 594, 749, 805
 1016, 1039, 2047, 2495
- section 2562, additional allowance in settling accounts
 in surrogate's court (Rec. No. 49)..744, 1109, 1209, 1280
- section 2588, award of jury trial upon reversal in pro-
 bate cases (Int. No. 1204)..... 1363
- section 2606, accounting by executor, et cetera, of
 deceased executor in surrogate's court (Rec. No. 238). 1988
 2902, 3023, 3107
- section 2624, validity and construction of testamentary
 provisions (Rec. No. 386).....3152, 3912, 3916
- section 2632, record of certain wills (Int. No. 1419).. 1930
 2902, 3022, 3266, 3328

Code of Civil Procedure, to amend, relative to—Continued:		PAGE.
section 2632, record of certain wills (Rec. No. 403)...		3207
		3489, 3541
section 2643, letters of administration with will		
annexed (Rec. No. 20)...	390, 913, 1063, 1121, 1168, 1274	
		1419, 1628, 1696
section 2642, letters of administration with will		
annexed (Int. No. 131).....	85, 245, 312, 334, 481,	513
sections 2647, 2649, 2651, 2652, 2653a, 2626 and 2627,		
revocation of probate (Int. No. 78).....		76, 1628
sections 2588, 2647, 2649, 2651, 2652, 2653a, 2626 and		
2627, revocation probate, etc. (Rec. No. 464)...	3564,	3913
section 2670, appointment of a temporary administrator		
in the surrogate's court (Rec. No. 6)...	293, 428, 485,	517
section 2675, powers of a temporary administrator		
(Rec. No. 14).....	327, 428, 485,	518
section 2706, liability of persons unauthorized to act as		
executors (Int. No. 261)....	122, 779, 1132, 1162, 1252, 1297	
		1331, 2501
section 2711, appointment of appraisers and appraisal		
(Rec. No. 166)....	1485, 1715, 1843, 1923, 1970, 2038, 2046	
section 2711, appointment of appraisers and appraisal		
(Int. No. 1160).....		1289
section 2727, order to account and proceedings therein		
in surrogate's court (Rec. No. 236)...	1988, 2902, 3024, 3108	
section 2728, petition by an executor for settlement of		
his accounts (Int. No. 743).....		465
section 2728, executor's accounting proceeding in the		
surrogate's court (Rec. No. 237)....	1988, 2901, 3024, 3109	

Code of Civil Procedure, to amend, relative to—Continued: PAGE.

section 2730, commissions of executors and administrators (Int. No. 1404).....	1928
section 2731, statute of limitations against claims of executors (Int. No. 762)....	498, 2066, 2184, 2220, 2388, 2469
section 2732, succession to personal property (Int. No. 1187)	1327
section 2732, distribution of personal property of an intestate (Int. No. 483)....	251, 781, 1109, 1207, 1297, 1385 1519, 1602, 3254
section 2802, annual accounts by trustees (Int. No. 959)	824 2902, 3021, 3075, 3268
section 2815, trustees giving adequate security for the performance of their trust (Int. No. 1046).....	1009
section 2869, jurisdiction of justice's court (Int. No. 1498)	2278, 3217, 3279, 3892, 3905
section 3074, costs in justice's court (Int. No. 589)....	323
section 3251, taxation of costs (Int. No. 1129)....	1141, 1717 1836, 1881, 2182, 2247, 3798
section 3208, service of summons and complaint, and proof of service (Int. No. 349).. <td>164, 2423, 2691, 2767, 2910 3034, 3872</td>	164, 2423, 2691, 2767, 2910 3034, 3872
section 3221, enforcement of judgments in favor of journeymen laborers (Int. No. 407).....	184
section 3222a, commencement of certain actions by wage-earners in municipal court of city of New York (Int. No. 834).....	617, 2067
section 3326, jurors' fees in justice's court (Int. No. 312)	154 1112, 1351, 1389, 1593, 1690
section 3256, taxation of costs (Int. No. 1130).....	1141, 1717, 1836

Code of Civil Procedure, to amend, relative to—Continued: PAGE.

section 3268, security for costs (Int. No. 957).....	824
section 3391, proceedings for the sale of corporate real property (Int. No. 276) . . 130, 245, 312, 334, 481, 512,	820
1172, 1211, 1213	

Code, criminal, to amend, relative to:

section 11a, appointment of probationary officers, and defining their duties (Int. No. 1078) . . 1038, 1796, 2067, 2179	
2385, 2413, 2775, 2912	

section 11a, appointment of probationary officers, and defining their duties (Rec. No. 375).....	3148
---	------

section 56, jurisdiction of courts of special sessions (Rec. No. 423)	3256, 3468, 3867
--	------------------

section 56, jurisdiction of courts of special sessions (Int. No. 1405)	1928, 2900, 3124, 3172, 3269, 3323, 3378, 3444
--	--

section 141, limitation of time for the commencement of a prosecution for kidnapping (Int. No. 271).....	130
---	-----

section 308, court assigning counsel (Int. No. 448)....	199
---	-----

section 335b, clairvoyance, palmistry or fortune telling (Rec. No. 368).....	2897
---	------

section 382, challenges of jurors (Int. No. 643).....	366
---	-----

section 395, confession of defendant (Int. No. 905)....	741
---	-----

sections 527, 528 and 529, certificates of reasonable doubt (Int. No. 785) . . 523, 1162, 1434, 1522, 1555, 1738, 1895	
---	--

section 661, criminal insane confined in an asylum (Int. No. 1430).....	1993, 2431, 2566, 2599, 2776, 2926, 3030
--	--

section 661, criminal insane confined in an asylum (Rec. No. 316).....	2350, 3216, 3283, 3480, 3572, 3598
---	------------------------------------

section 892, commitment of vagrants (Int. No. 52) . . 69, 782	
964, 1015, 1130, 1193, 1593, 1686, 3551	

Code, criminal, to amend, relative to—Continued.	PAGE.
section 905, prosecution of an undertaking given by an Indian (Int. No. 651)	385, 782, 861, 922, 1132, 1182, 2048
section 1127, exemption of trial jurors in the county of Kings (Int. No. 715)	419
Code, penal, to amend, relative to:	
section 41, misdemeanors at or in connection with enrollment in political parties (Int. No. 1684)	3374, 3812 3817, 4000
section 41, crimes against the elective franchise (Rec. No. 164)	1485, 2429, 2691, 2768, 3014, 3091, 3200
section 41w, failure to file candidates' statement of elec- tion expenses (Int. No. 452)	199, 427, 575, 592, 627, 756
section 41x, crimes against the elective franchise (Int. No. 1275)	1489
section 119, appointment of special deputy sheriffs (Int. No. 19)	64
sections 168, 170 and 675, defining conspiracies and acts not expressly forbidden (Int. No. 1399)	1873
sections 186 and 187, punishment for murder (Int. No. 434)	197, 781, 1431, 1527, 1562, 1592, 1831, 1904, 2024, 2180 2226, 2292, 3377
section 211, punishment of the crime of kidnapping (Rec. No. 116)	1084, 2066, 2186, 2268, 2319, 2389
section 211, punishment of kidnapping (Int. No. 11)	53, 1110
section 265, public sports (Int. No. 554)	288
section 267, sale of property, etc., on Sunday (Int. No. 421)	186, 1716, 1972, 2009, 2182, 2257, 2388, 2799, 3194
section 267, Sunday sale uncooked flesh food (Int. No. 1699)	3873, 3875, 3913, 3923, 4138

Code, penal, to amend, relative to—Continued:

PAGE.

section 277, theatrical performances (Int. No. 1356)....	1764
section 298, bigamy (Int. No. 125).....	83
section 322a, support of male person by prostitute, or keeper of disorderly house (Int. No. 781).....	523, 2065
section 335b, clairvoyance, palmistry or fortune telling (Int. No. 1051).....	1010
section 344, prevention of policy playing (Int. No. 414). 915, 969, 1018, 1073, 1265, 1314, 1395, 2048	185
section 344, manufacture and sale of gambling para- phernalia (Int. No. 1365).....	1795
section 351, penalties (Int. No. 1519).....	2349, 2900, 3124
section 351, pool selling, betting, etc. (Rec. No. 472)... 3815, 3845, 4001	3694
section 352a, gaming (Int. No. 198)..99, 1431, 1970, 2234, 2449 2563, 2620, 3249	
section 355, pledge of tools and implements of mechanics (Int. No. 234).....	118
section 384l, violations of provisions of labor law (Int. No. 991).....	871
section 384q, tickets of admission to public places (Int. No. 159).....	89
section 385, obstruction of streams (Int. No. 612)..326, 861, 921, 1005, 1029, 3136	782
section 389, manufacture of gunpowder and other explosives (Int. No. 581).....	292
section 389, manufacture of gunpowder and other explosives (Int. No. 112)..81, 2423, 2691, 2768, 2910, 3036	
section 394, boarding vessel at quarantine grounds (Int. No. 1387):.....	1871

Code, penal, to amend, relative to—Continued:	PAGE.
section 394, quarantine (Rec. No. 416)	3209, 3478, 3571, 3627
section 446, persons fraudulently entering any exhibi- tion grounds (Int. No. 1131)	1141, 1433, 1522, 1561, 1589 1888, 1942
section 447e, contamination of salt wells (Int. No. 1027)	962 3216, 3810, 3892, 3904, 4137
section 458, crimes against the public peace (Int. No. 1461)	2151, 2428, 2901, 3217, 3278
section 613, directors of stock corporations, relative elections (Rec. No. 500)	3913, 3929
section 614, directors of corporations (Int. No. 1244)	1422 2423, 2692, 2772, 3013, 3093, 3686
sections 640d and 640c, unauthorized offers for sales and loans upon real property (Int. No. 245)	120, 426, 576 593, 749, 804, 1623
section 641, telegraph and telephone employes aiding criminals (Rec. No. 434)	3258, 3435
section 643, affixing advertisements to another's land (Int. No. 789)	524, 853
section 651, unlawful interference with electric meters and wires (Int. No. 1222)	1365, 2423, 2692, 2769, 3014, 3095 3327, 3355, 3486, 3518, 3870
section 652a, use of sidewalks (Int. No. 553)	288, 1716, 1973 2009, 2082, 2189, 2387, 2459, 3193, 3542, 3545, 3866
section 687a, sentencing of convicts to State prison (Rec. No. 255)	1991, 2900, 3124, 3172, 3269, 3323, 3354 3470
Cohen, Harry, appointed general messenger	63

- Cohoes, relative to agreement between the city and Cohoes
Hospital Association (Int. No. 1002)....872, 1224, 1299, 1385
1520, 1600, 2347, 2806
- Cohoes, relative construction of bridge over Champlain
canal, at Ontario street (Int. No. 773)....499, 1151, 2509, 2609
2680, 2777, 2935, 3871
- Cohoes, to revise charter, relative annual meeting of com-
mon council and commencement of the fiscal year (Int.
No. 1480).....2216, 2549, 2608, 2908, 3076, 3186, 3799
- Cohoes, to revise charter, relative to powers of the
common council (Int. No. 1390).....1871, 2157, 2223, 2561
2615, 3551
- Cohoes, Public Improvement Commission, to create, relative
to street pavements and assessments (Int. No. 1634)..... 3005
3261, 3317, 3324, 3378, 3447, 3800
- Cohoes, relative to authorize the common council to
borrow money for school purposes (Int. No. 966)....827, 1093
1353, 1386, 1518, 1606, 2347, 2807
- Cohoes, to revise charter, relative to public instruction (Int.
No. 965)827, 1089, 1207, 1257, 1392, 1463, 2341, 2346, 2807
- Cohoes, to revise charter, relative to term of office of super-
visor (Rec. No. 301) 2275
- Cohoes, to revise charter, relative to term of office of super-
visor (Int. No. 1336)....1707, 2157, 2237, 2288, 2563, 2623, 3551
- Cold Springs and Nelsonville, relative licensing the peddling
of merchandise (Int. No. 230) .118, 331, 383, 403, 440, 490, 609
- Cole, John A., appointed index clerk..... 62
- Columbia county, relative to make the office of county clerk
salaried (Int. No. 1568).....2597, 3166, 3227, 3381

Columbia county, relative to make the office of county clerk salaried (Rec. No. 371).....	3148, 3481, 3573, 3611
Columbia county, relative uncollected taxes (Int. No. 911)..	742
	1160, 1266, 1292, 1328, 1410, 1866
Colwell, Mary A., and Sarah P. Brown, relative for relief of (Rec. No. 85).....	874, 1507, 1567, 1678
Commissioner of Labor, relative to create the office of, and abolish certain offices (Rec. No. 8).....	293
Commissioner of Labor, relative to create the office of, and abolish certain offices (Int. No. 46)..	69, 179, 232, 258, 282, 312
Comptroller to hear application of David C. Leech and Minnie A. Lord, relative cancellation of tax sale (Rec. No. 421)	3256, 3557, 3699, 3721
Communication from Hon. John C. Davies, Attorney- General	2226
Congressional apportionment (Rec. No. 493)....	3873, 3876, 3914
	3936, 4134
Conley, Thomas, relative for relief of (Int. No. 1262)..	1487, 2879
Consolidated School Law, to amend, relative to disburse- ment of school money (Int. No. 1371).....	1796, 2077, 2178
	2226, 2299
Consolidated School Law, to amend, relative to compulsory education (Int. No. 1476).....	2216, 3222
Consolidated School Law, to amend, relative to qualifica- tions of school commissioners (Int. No. 440)....	198, 917, 968
	1017, 1167, 1393, 1451
Consolidated School Law, to amend, relative to purchase of text-books (Int. No. 447).....	199

Consolidated School Law, to amend, relative purchase of text-books (Int. No. 1150).....	1215
Consolidated School Law, to amend, relative to teaching physiology, hygiene and narcotics (Int. No. 446).....	199
Constableville, First Baptist Church of, relative to change name (Int. No. 468).....	230
Contracts, awarding, assignment and subletting of, to regulate (Int. No. 708).....	417, 1633
Contracts, subletting of, relative to written consent (Int. No. 1176)	1291
Convict labor, relative manufacture and distribution of certain school books (Int. No. 1407).....	1928
Cooperstown, to revise charter, relative to powers of trustees (Rec. No. 378).....	3150, 3292
Cooperstown, to revise charter, relative to powers of trustees (Int. No. 1577).....	2673, 2906, 3023, 3074, 3179, 3273
Coplon, Max, appointed page.....	62
Cornell University, relative appropriation of insurance money (Rec. No. 305).....	2276, 2675, 2785, 2937
Corning, to amend charter, relative to claims and accounts (Int. No 1107).....	1080
Corning, relative appropriation for dyke (Int. No. 370) ..	167, 3690 3812, 3820, 4031
Corning, to incorporate the city, relative to liability for damages sustained by reason of defective sidewalks, etc. (Rec. No. 261).....	1992, 2159, 2239, 2761, 2887, 3049, 3683
Corning, relative to incorporate the fire department (Int. No. 868)	656, 994, 1068, 1121, 1329, 1408, 2744, 3687
Corning, to incorporate the fire department, relative to election of officers (Rec. No. 254).....	1991

	PAGE.
Corning, to amend charter, relative to election of officers (Int. No. 1108)....	1080, 2154, 2238, 2761, 2886, 2907, 3013, 3104 3252
Corporation Law, business relative number of directors and subscribers (Rec. No. 440).....	3561, 3812, 3824, 4032
Corporations and benevolent orders, relative to prevent fraud against (Int. No. 1063)..	1035, 1719, 1835, 1889, 1931, 2081 2202
Corporation Law, to amend, relative to actions brought against corporations (Int. No. 1520)....	2280, 2756, 3121, 3266 3328, 3355, 3486, 3516, 3797
Corporation Law, to amend, relative to receivers (Rec. No. 450).....	3556, 3562, 3699, 3717
Corporations, relative to receivers (Int. No. 1525).....	2350
Cortlandt and Peekskill, relative to receiver of taxes and assessment (Int. No. 499).....	253, 400, 453, 478, 506, 534, 610
Cortland, to amend charter, relative to certain officers (Int. No. 305).....	153, 876, 1067, 1127, 1329, 1406, 2046, 2402
County clerk, relative to act as public administrator (Int. No. 574).....	291, 424, 483, 506, 663, 748, 801
County Law, to amend, relative to:	
assistant district attorneys of Erie county (Int. No. 561)	289 589, 646, 663, 748, 808, 954
actions by county treasurer for moneys and securities (Int. No. 788).....	524, 853, 945, 1002, 1016, 1047, 1417
board of supervisors, relative power to regulate speed of vehicles on highways (Int. No. 753).....	467, 850, 945
board of supervisors, relative to regulate speed of vehicles on highways (Int. No. 1229).....	1420

County Law, to amend, relative to—Continued:	PAGE.
docks and bulkheads in certain towns (Int. No. 741) ..	465
589, 645, 665, 861, 930,	4141
registration of dogs (Int. No. 1073)	1037, 1439, 1522, 1552
1656, 1764, 2023, 2092, 3856,	3869
town meetings, changing the time of holding, and to	
legalize action of the board of supervisors (Int No.	
854)	621, 830, 849, 949, 953
town meetings and elections, relative to provide for	
holding of (Int. No. 226)	105, 277, 312, 401, 405, 406
	457, 609
town meetings and elections, relative to provide for	
holding of (Int. No. 917) . .	774, 1113, 1202, 1254, 1393, 1458
	2148
Court of Claims, relative appropriation for payment of judg-	
ments (Int. No. 1564) . .	2596, 3210, 3280, 3322, 3324, 3341, 3871
Court of Claims, relative appropriation for payment of judg-	
ments arising on account of canals (Int. No. 1565) . .	2596, 3210
	3280, 3322, 3324, 3342, 3871
Courts of record, relative to classify employes and establish	
rates of compensation (Int. No. 960)	825
Coyne, Charles F., appointed page	62
Cozine, Charles C., relative application for cancellation of	
tax sales (Int. No. 1623)	2898, 3357, 3486, 3511, 3686
Cozine, Charles C., relative application for cancellation of	
tax sales (Int. No. 631)	364, 917, 968, 1015, 1131, 1196
	1866, 2336
Craig Colony for Epileptics, relative appropriation (Int. No.	
866)	656, 1426, 1618, 1822, 1885, 1947, 3193

Creedmoor rifle range, relative appropriation for additional land (Rec. No. 178).....	1582, 3874, 3914, 3938
Cromwell, Morton, appointed assistant journal clerk.....	61
Cronin, James, appointed messenger.....	63
Croton aqueduct, relative to regulate taxes (Int. No. 307)..	154
	1722, 1833, 1888
Crozier, Louis L., appointed messenger.....	62

D.

Dady, Charles, appointed page.....	62
Daniels, H. J., appointed clerk to Committee on Ways and Means	63
Dannemora Hospital for Insane Convicts, to provide for further construction (Int. No. 219)..	103, 1220, 1426, 1526, 1553
	1655, 1758, 3145
Darcy, Thomas J., appointed assistant doorkeeper.....	62
Day, Saratoga county, relative to legalize contract between town of, and Owego Bridge Company (Int. No. 1064)....	1035
	1642, 1773, 1822, 1887, 1948
Day, Saratoga county, relative to legalize contract between town of, and Owego Bridge Company (Rec. No. 229)....	1948
DeKalb, St. Lawrence county, relative election of an addi- tional justice of the peace (Int. No. 1424).....	1992
DeKalb, St. Lawrence county, relative election of an addi- tional justice of the peace (Rec. No. 317).....	2350, 3167, 3244
	3289
Delaney, Mr., statement of, relative Stranahan excise bill.	3731

Delaware county, relative to make sheriff a salaried officer (Int. No. 1454).....	2055, 2442, 2555, 2602, 2697, 3650, 3794
Dental students, relative examination under private pre- ceptorship (Int. No. 130).....	85, 425, 482, 736, 2211, 2415
Depew, Hon. C. M., address	2673
Der Bayerische National-Verband von Nord Amerika, rela- tive to incorporate (Int. No. 1401).....	1927, 2352, 2486 2557, 2602, 2717
Der Bayerische National-Verband von Nord Amerika, rela- ative to incorporate (Rec. No. 400).....	3206
Detectives, private and detective agencies, relative to licenses (Int. No. 886).....	659, 2431, 2690, 2767, 2910, 3040
Detectives, private and detective agencies, relative to licenses (Rec. No. 348).....	2749, 3066
DeWitt, relative taxation for working and repairing high- ways (Int. No. 113).....	81, 114, 126, 133, 134, 151, 256, 367
District attorneys and assistants, in certain counties, rela- tive to prohibit general practice of law (Int. No. 1423)...	1992
Divorce procedure, relative divorce from bonds of marriage (Int. No. 1493).....	2277, 3301
Domestic Commerce Law, to amend, relative to fire escapes on hotels (Int. No. 1359).....	1794
Domestic Commerce Law, to amend, relative to size of apple, pear, quince and potato barrels (Rec. No. 194).....	1630, 2439 2568, 2605, 2816, 3120, 3172, 3269, 3554, 3697, 3704, 3873
Domestic Relations Law, relative to marriages (Int. No. 30)...	66 123, 161, 254, 370, 406, 627, 3137, 3195
Donie, George A., appointed deputy clerk.....	62, 580
Du Bois, Norman, appointed assistant doorkeeper.....	62

Dunkirk, relative to redeem lands from tax sales (Int. No. 1077)	1038, 1798, 1876, 2023, 2087, 3136
--	------------------------------------

E.

East Aurora, relative to legalize bonds for paving Main street (Int. No. 222).....	104, 190, 222, 246, 259, 283
Eastern New York Reformatory, organization of, relative appropriation (Int. No. 1141).....	1142, 1511, 1562, 1590, 1887 1943, 3193
Eastern New York Reformatory, relative appropriation (Int. No. 1373).....	1796, 2058, 2187, 2219, 2386, 2472
Eastern Star Hall and Home Association, relative to incorporate (Int. No. 853)....	620, 1102, 1354, 1386, 1519, 1608, 3551
Elbridge, Onondaga county, relative to reimburse Byron Chatfield (Int. No. 1199).....	1362, 1812, 1891, 1931, 2082 2206, 2741, 3364
Elbridge, normal school in village of, to provide for (Int. No. 732)	464
Elbridge, normal school in village, to establish (Int. No. 69).	74
Election of a Superintendent of Public Instruction and a Regent of the University.....	598, 600
Election Law, to amend, relative to:	
appointment of inspectors of elections in towns (Int. No. 594)....	324, 1105, 1632, 1774, 1822, 1886, 1960, 2046, 2144 4137
ballots at town meetings on general election day (Int. No. 404).....	184
challenges (Rec. No. 360).....	2751, 3875, 3914, 3992

Election Law, to amend, relative to—Continued:	PAGE.
consolidation of registration and enrollment books (Int. No. 818).....	582, 1101, 1351, 1387, 1594, 1693, 3194, 3731
consolidation of election districts in towns (Int. No. 929).....	776, 1098, 1203, 1255, 1297, 1471
consolidation of election districts in towns (Int. No. 1446).....	2054, 2352, 2486, 2556, 2600, 2718
creation of districts (Int. No. 841).....	618, 1722, 1974, 2015, 2387
	2460
district organizations in New York city and prescribing powers of presidents (Int. No. 750).....	466
duties of county board of canvassers (Int. No. 420)....	186
	584, 650, 663, 747, 815, 2211
Election Law, to amend, generally (Rec. No. 128).....	1144
election officers, designation, number and qualifications (Int. No. 62).....	71, 2354, 2688, 3120, 3172, 3270, 3314
	3380, 3458
enrollment for and holding of primary elections (Int. No. 819).....	582, 1100, 1352, 1390, 1593, 1691
expenses of primary elections (Rec. No. 93).....	1007, 2757, 2887
	3051
filing statements of election expenses (Int. No. 1274)...	1489
filing town and village nominations, Westchester county (Int. No. 1695).....	3564, 3892, 3905, 4032
filling vacancies in nominations (Int. No. 1098).....	1079
filling vacancies in nominations (Rec. No. 3).....	196, 392, 455
	494, 601, 834, 1131, 1179, 1444, 1578, 1621
independent nominations (Int. No. 1602).....	2756
notices of election by Secretary of State and county clerk (Rec. No. 77).....	873, 1366, 1480, 1531, 1787, 2395

Election Law, to amend, relative to—Continued:	PAGE.
nominations to office (Int. No. 1185).....	1327
providing watchers at polling places (Int. No. 1047)...	1009
	1633, 1774
providing watchers at polling places (Rec. No. 191)....	1630
	2064, 2325, 2383, 2562, 2637, 2892
qualifications of inspectors of election (Int. No. 1452)..	2054
	2757, 2888, 2908, 3013, 3101
registration of electors in villages of the first and second	
class (Int. No. 1139).....	1142
registration, forms of (Int. No. 182).....	93, 172, 274, 391
	585, 650, 663, 860, 933, 1482
requirements of voting machines (Int. No. 1092).....	1078
special enrollment and transfers (Int. No. 1349).....	1793
time of opening and closing polls (Rec. No. 361)..	2751, 3874
	3913, 3932
voting machines, use of (Int. No. 672).....	388, 847, 1099
	1202, 1256, 1393, 1457, 1632, 2022, 2088, 4121, 4135
voting machines, adoption and use of (Int. No. 1123)...	1140
Elwood, John E., appointed Deputy Clerk.....	62
Ellenville, relative to establish a gas or electric light plant	
(Int. No. 1300).....	1585, 2762, 3121, 3171, 3270, 3322, 3347
Ellsburg Cemetery Association, relative to incorporate	
(Rec. No. 102).....	1082, 2906, 3025, 3117
Employers' liability of, to extend and regulate (Int. No. 38)	67
	1817, 1972, 2802, 3010, 3179, 3241, 3323, 3365
	3366, 3378, 3440, 3798
Empire State Power Company, relative power to acquire	
rights of way in certain counties (Int. No. 1515).....	2348

Elmira Reformatory, relative to appropriation (Int. No. 1054)	1010, 1424, 1617, 1646, 1831, 1912, 3643, 3795
Elmira, charter of city, to revise, relative to assessments (Int. No. 490)	252, 720, 753, 926, 1542, 2273
Elmira, to revise charter, relative to bond of city chamberlain and powers of board of police (Int. No. 185)	94, 176 185, 217, 259, 302, 413, 956
Elmira, to revise and amend the several acts, relative to New York State Reformatory (Int. No. 218)	103, 995, 1019 1071, 1266, 1315, 2048
Elmira, relative to system of sewerage, and acquisition of rights of way (Int. No. 1102)	1080, 1634, 1770, 1821, 1886 1949, 3250
Elmira, relative to damages for changing grade of Walnut street (Int. No. 1382)	1870, 2549, 2607, 2680, 2777, 2934, 3251
Elmira, relative changing original grade of Walnut street (Int. No. 51)	70, 175, 192, 216, 221, 239, 362, 956
Elmira, relative to damages for changing grade of West Water street (Int. No. 1211)	1364, 1634, 1771, 1821 1886, 1950, 3250
Erie county, relative to erect the county of Buffalo from a portion of its territory (Int. No. 1566)	2597
Erie county, relative to construct bridge across Niagara river from Grand Island (Int. No. 1516)	2348, 2880, 3123 3172, 3270, 3322, 3348
Erie county, relative payment of officers and employes (Int. No. 4)	52, 178, 195, 413, 597, 609, 610, 788, 863, 1138
Erie county, relative to make the office of sheriff salaried (Rec. No. 338)	2746, 3167, 3243, 3288

Erie county, relative to powers of the board of supervisors (Int. No. 1663).....	3158
Erie county, relative to powers of the board of supervisors (Rec. No. 447).....	3480, 3562
Erie county, relative to collection of unpaid taxes (Int. No. 1543	2421, 2817, 3475, 3568, 3583
Erie county, relative collection of taxes and publication of notices (Rec. No. 138).....	1217, 1641, 1774, 1853, 1903
Erie county, relative publication of notices of tax sales (Int. No. 535).....	266, 400, 454, 478, 505, 533
Erie county, relative collection of taxes and sale of lands for unpaid taxes by the treasurer (Int. No. 776).....	522
Essex Horse Nail Company, relative to extension of time (Int. No. 618).....	343, 846, 1012, 1130, 1178, 1623
Essex county, relative to make the office of sheriff salaried (Int. No. 1557).....	2507
Essex county, relative to make the office of sheriff salaried (Rec. No. 383).....	3151, 3314, 3490, 3589, 3786
Essex county, relative to the construction of a dam at Dead Water pond (Int. No. 948).....	823
Estates of deceased persons, relative to prevent fraudulent claims against (Int. No. 1678).....	3319
Evarts, D. W., appointed deputy clerk.....	62
Executive Law, to amend, relative to notary public acting in more than one county (Rec. No. 46)....	744, 2757, 3122, 3172 3269, 3691, 3813, 3832, 4032
Executive Law, to amend, relative fees of notaries public for protecting notes, bills and checks (Int. No. 1117)....	1139

Executive Law, to amend, relative to notaries public (Int. No. 1555)	2507
Executive Law, to amend, relative to public printing (Int. No. 232)	118, 428, 485, 500, 669, 760
Executive Law, to amend, relative powers of Deputy Comptrollers (Int. No. 22)	64, 123, 134, 950, 1006
Executive Law, to amend, relative to public printing (Rec. No. 277)	2150, 2554, 2610, 2727, 2890

F.

Fairport, bridge over the Erie canal in village of, relative to construct (Int. No. 438)	197
Farmers' Loan and Trust Company, relative to powers and liabilities (Int. No. 1426)	1993, 2676, 2782, 3147, 3204, 3242 3265, 3327, 3485, 3502, 3871
Far Rockaway, relative to claim of Gamewell Fire Alarm Telegraph Company (Int. No. 1661)	3157, 3317, 3491, 4134
Far Rockaway, relative to claim of Eureka Fire Hose Company (Int. No. 1594)	2755, 3162, 3243, 3265, 3327, 3477, 3566 3591, 4136
Federation of American Zionists, to incorporate (Int. No. 1669)	3210
Ferry, across Lake Champlain, from Barbers Point, to establish (Int. No. 1443)	1995, 2435, 2554, 2600, 2696, 3194
Ferry boats, relative to free carriage of bicycles (Int. No. 135)	85
Ferry boats, relative to prohibit begging, singing, acting, etc., upon (Int. No. 1023)	961

Ferry companies, relative to provide for safety and comfort of their passengers (Int. No. 864).....	655, 919, 2074, 2235
Fertilizers, purchase and sale of, relative to protection of farmers and manufacturers (Int. No. 897).....	740, 1158, 1354
Fire districts, outside of cities and villages, to legalize election of officers (Rec. No. 152).....	1326, 1490, 1567, 1675
Fire districts, outside of cities and villages, to legalize election of officers (Int. No. 962).....	825
Fire drills in schools of the State, to provide for (Rec. No. 161).....	1484, 2077, 2185, 2264
Fishkill, relative to create a town board of auditors (Int. No. 1072).....	1037, 1379, 1477, 2048
Fishkill Landing, relative to issue bonds for constructing a sewer system (Int. No. 1484).....	2217, 2657, 3254
Flannigan, James J., appointed deputy clerk.....	62
Flavay, Daniel, appointed committee clerk.....	63
Flint, G. L., appointed committee clerk.....	63
Flynn, Wm., appointed page.....	62
Foods, use of unhealthy chemicals in manufacture of, to prevent (Int. No. 247).....	120
Food, articles of, relative to prohibit encasings and coverings (Int. No. 1026).....	962
Foreign corporations, relative to pay fees to State Treasurer (Int. No. 1086).....	1077
Foresters of America, relative erection and maintenance of buildings (Int. No. 1531).....	2419, 3259, 3322, 3636, 3798
Forest, Fish and Game Law as amended, relative to publication (Rec. No. 234).....	1988, 2378, 2690, 2767, 2909, 3045, 3201, 3676
Forestry, relative to encouragement of (Int. No. 801).....	526

Fogarty, John J., appointed deputy clerk.....	580
Fort Edward, relative to legalize village bonds and provide for payment (Int. No. 1329).....	1707
Fort Edward, relative to legalize village bonds and provide for payment (Rec. No. 265).....	2053, 2439, 2567, 2651
Foster, Charles H., appointed page.....	62
Franklin county, relative to exempt from taxation certain property owned by Sisters of Mercy (Int. No. 1621) ..	2898, 3314 3380, 3459, 3871
Fredonia, relative to provide for rebuilding and equipping State Normal School (Int. No. 1586) ...	2753, 3212, 3277, 3322 3325, 3345, 3871
Fredonia, relative appropriation for rebuilding State Nor- mal School (Int. No. 567)	290, 423, 483, 500, 505, 538, 1137
Froelich, Jacob, relative to release all interests of the people of the State, relative certain lands (Int. No. 650)	385, 1710 1973, 2010, 2182, 2251, 3661, 3794
Froelich, Jacob, relative to release to certain lands (Rec. No. 135)	1216
Fulton, relative to repay certain moneys (Rec. No. 4) ..	196, 477 509, 540
Fulton county, relative to salaries of county judges and sur- rogate (Int. No. 357) ...	165, 432, 484, 500, 669, 761, 1137, 1482 1543, 1656, 1740, 2048

G.

Gambling and pool selling, relative to suppression (Int. No. 56)	70
---	----

Game Law, to amend, relative to:	PAGE.
actions for fires (Int. No. 1512).....	2348, 3481, 3482, 3570 3590, 4031
Adirondack park (Int. No. 1286).....	1544, 1643, 1737, 1739 1771, 1899, 3798
Adirondack park (Rec. No. 275)	2150, 2377, 2491, 2586 2945, 3273, 3470
anchor or buoy fishing in counties of Herkimer and Hamilton (Rec. No. 170).....	1485
Antwerp or homing pigeons, penalties for unlawful taking or interfering with (Int. No. 1547).....	2506, 3313 3377, 3438, 3798
black bass, close season for (Int. No. 901).....	741
black bass, close season for, in certain localities (Int. No. 1158).....	1288, 3362, 3376, 3691, 3812, 3822, 4135
Black lake, St. Lawrence county, fishing in (Rec. No. 32)	526, 1383, 1481, 1535
Black lake, St. Lawrence county, fishing in (Int. No. 441)	198
Cattaraugus, Chautauqua and Allegany counties, close season for trout in (Int. No. 627).....	364
Cattaraugus county, close season for woodcock in (Int. No. 626)	364
Cattaraugus and Chautauqua counties, quail in (Int. No. 509)	261, 918, 965, 1013, 1265, 1311, 1622, 2051 2147, 2737, 2948, 3180, 3231, 3471
Cayuga lake, taking wild fowl in (Int. No. 808)....	581, 1382 1474, 1512, 1558, 1669
close season for birds (Int. No. 462).....	229

Game Law, to amend, relative to—Continued:

PAGE.

close season for birds, web-footed wild fowl (Int. No.

461) 229

Columbia county, close season in (Int. No. 1534)..... 2420

commissioners to name places of refuge for game (Int.

No. 1144)1214, 1644, 1773, 1823, 2021, 2103, 3731, 3870

Conewango creek, in Cattaraugus and Chautauqua

counties, nets, use of, in (Int. No. 628)..... 364

deer, close season and possession of (Int. No. 724)..420, 3224

deer, close season and possession of (Int. No. 489)..... 252

deer, close season and possession of (Rec. No. 172).... 1486

deer hounding of (Rec. No. 58)..... 745

deer hounding (Rec. No. 264)....2053, 3912, 3921, 4034, 4039

deer, hounding of (Int. No. 1278).....1489

deer hounding in certain counties (Int. No. 1140)..... 1142

deer, hounding of (Int. No. 362)..... 166

definitions (Int. No. 704).....417, 1644, 1773, 1822, 1886

1959, 3548

definitions (Rec. No. 153)..... 1326

definitions (Rec. No. 18).....328, 2379, 2492

Dutchess county, taking suckers with nets through

the ice in certain waters (Int. No. 1057).....1011, 1644

1737, 1885, 1938, 3734, 3869

Dutchess county, fishing through the ice in waters of

the town of North East (Int. No. 322).....156, 1384

1615, 1654, 1935, 2026

Dutchess county, fishing in waters of Whaley pond

(Int. No. 1500).....2278, 3223, 3276, 3322, 3326, 3346, 3870

explosives (Int. No. 337)..... 163

Game Law, to amend, relative to—Continued:	PAGE.
fawns, taking of (Int. No. 355).....	165, 1644, 1773, 1827 2016, 2103, 3137
fawns, taking of (Rec. No. 59).....	745
fires caused by railroad locomotives (Int. No. 806).....	580
fire wardens and the superintendence of forests (Rec. No. 233)	1987, 2378, 2491, 2585
fire wardens and the superintendence of forests (Rec. No. 260)	1992
fishing through the ice (Rec. No. 312).....	2350
fishing with hook and line (Int. No. 1015).....	960
forest fires (Int. No. 1198).....	1362
forest fires (Rec. No. 208).....	1791
forest fires (Rec. No. 242)...1988, 3328, 3691, 3813, 3824, 4032	
forest preserve (Int. No. 1238).....	1421
Greene county, close season for squirrels, rabbits, woodcock and grouse in (Int. No. 757)....	497, 1383, 1615 1646, 1936, 2025, 3655, 3795
hares and rabbits, close season for, in certain counties (Int. No. 633).....	365
hares and rabbits, close season for, in certain counties (Int. No. 267).....	129
hares, rabbits, mink, muskrat and foxes, close season for (Int. No. 459).....	229
Hudson and Delaware rivers and adjacent waters, nets in (Int. No. 563).....	289, 1118, 1353, 1385, 1518, 1607, 2148
Jefferson county, close season for wild fowl in (Rec. No. 257)	1991, 2379, 2491, 2587, 2649
Lake Erie, fishing with nets in (Int. No. 1133).....	1141

Game Law, to amend, relative to—Continued:

PAGE.

Lake Erie, fishing with nets in (Int. No. 166) . . .	91, 180, 256 281, 369, 411, 1415, 1594, 1682, 3660, 3794
Lake Ontario, nets in certain waters of (Rec. No. 270).	2149
Lake Ontario, Monroe county, fishing in (Int. No. 1408).	1928
Lake Ontario, Niagara county, fishing in (Int. No. 497).	253
Long Island, close season for deer on (Int. No. 870) . .	656 918, 966, 1014, 1265, 1310, 1622
mink, skunk, muskrat and foxes, close season (Int. No.	
277)	137, 1384, 1615, 1645, 1831, 1906, 3654, 3794
Mongolian ring-necked and English pheasants, Suffolk	
county (Int. No. 1029)	962, 2008, 2141, 2177, 2225, 2310 3793, 3872
Mongolian and English pheasants, open season (Int.	
No. 378)	168, 917, 964, 1014, 1266, 1311, 1402
Mongolian and English pheasants (Rec. No. 37)	527 1382, 1481
moose, elk, caribou and antelope, protection of (Int.	
No. 127)	84, 188, 296, 362, 368, 440, 486, 1622
moose, elk, caribou, or antelope, taking of (Rec. No. 55).	745
moose, elk, caribou, or antelope, taking of (Int. No.	
372)	168
nets, maintenance of pound, in the salt waters of the	
State (Int. No. 600)	325
nets, taking of edible fish with shirred or menhaden, in	
salt waters of the State (Int. No. 601)	325
non-residents taking shell fish (Int. No. 1273)	1488, 2008 2321, 2382, 2601, 2701
Orange county, fishing in (Rec. No. 449)	3480, 3562 3573, 3616

Game Law, to amend, relative to—Continued:	PAGE.
Oswego, Oneida and Seneca rivers, fishways in the several dams in (Int. No. 340).....	163
Oswego river, spearing in (Int. No. 851).....	620, 918, 965
Otsego lake, fishing in (Int. No. 201).....	99
Otsego lake, fishing in (Int. No. 391).....	170, 279, 381, 403 440, 491, 1540, 1581
Peconic bay, fishing in (Int. No. 501).....	253
penalties (Int. No. 1261).....	1487, 4034, 4041
pigeons, fowl or other birds, prohibit shooting live, for amusement or test of markmanship (Int. No. 1667)	3209
private parks (Rec. No. 167).....	1485, 3810, 3892, 3908
private parks (Int. No. 435).....	197
pollution of streams (Int. No. 1200).....	1362, 2176, 2327 2563, 2603, 4017, 4140
pollution of streams (Int. No. 342).....	163
polluting of waters (Int. No. 593).....	324
pollution of waters (Rec. No. 461).....	3564
prosecutions and to the disposal of confiscated fish and game (Int. No. 592).....	324, 918, 965, 1015, 1130, 1193
protectors (Int. No. 341).....	163
protectors, appointing additional (Int. No. 289).....	139
protectors, compensation of (Int. No. 336).....	163
protectors, powers of (Rec. No. 274).....	2150, 2379, 2491, 2586 3205, 3689, 3792, 4010
protectors, powers of (Int. No. 463).....	229
quail and grouse, close season for, and prohibiting hunting rabbits with ferrets (Int. No. 807)....	580, 1383, 1614 1649, 1935, 2025, 2386, 2456, 2686, 2788

Game Law, to amend, relative to—Continued:	PAGE.
quail, woodcock and grouse, close season for (Int. No. 1104).....	1080, 2008, 2321, 2381, 2601, 2699, 3659, 3795
Rockland county, close season for hares and rabbits in (Int. No. 778).....	522
Rockland county, close season for grouse in (Int. No. 1175)	1291
streams, closing of (Rec. No. 481).....	3695, 3815, 3845
striped bass in Hudson river, close season for (Int. No. 779).....	523, 2378, 2491, 2556, 2601, 2723, 3653, 3794
set lines for fishing (Int. No. 1352)..	1793, 2177, 2328, 2381
	2601, 2704, 3652, 3795
Sunday shooting (Rec. No. 287).....	2215
taking fish through the ice in waters of certain lakes (Rec. No. 137).....	1217
Washington county, fishing through the ice in waters of (Int. No. 519)..	263, 2009, 2321, 2382, 2601, 2700, 3867, 4110
web-footed wild fowl, grebe and bittern and wild birds, taking of (Rec. No. 56).....	745, 1117, 1210, 1282
web-footed wild fowl, close season for (Int. No. 520)....	263
web-footed and wild birds (Int. No. 587).....	292
Westchester county, cultivation of shellfish in (Int. No. 419).....	186, 592, 645, 668, 860, 929, 1542
wild fowls, close season for (Int. No. 338).....	163
wild fowl, close season for (Int. No. 464).....	230
woodcock, grouse and quail, sale of (Int. No. 339)..	163, 1117
	2378, 2689
woodcock, close season for (Int. No. 376).....	168
woodcock, close season for (Rec. No. 60).....	745

Game Law, to amend, relative to—Continued:	PAGE.
woodcock, grouse or quail, prohibiting the sale of (Int. No. 923).....	775
Gas companies, relative to prohibit the demanding of deposits (Int. No. 330).....	157
Gates, Henry L., appointed journal clerk.....	61
General Corporation Law, to amend, relative to certificates of authority of foreign corporation (Rec. No. 324).....	2503 3912, 3921
General Corporation Law, to amend, relative voting of members (Int. No. 154).....	88
General Corporation Law, to amend, relative certificates of authority of a foreign corporation (Int. No. 251).....	120, 844 944, 1001, 1016, 1051, 1360
General Corporation Law, to amend, relative to use of the word "loan" (Int. No. 1190).....	1327, 2435, 2564
General laws, to amend section 35, known as the General Corporation Law (Rec. No. 263)....	1992, 2064, 2325, 2384, 2562 2636, 2892
General laws, to amend, relative possession of bottles, butter boxes or tubs, kegs, etc. (Int. No. 686)....	414, 2070, 2324
General laws, to amend, relative to Court of Claims (Int. No. 1235)	1420
General laws, to amend, relative to drainage, (Int. No. 1237)	1421
General Municipal Law, relative to funded and bonded debts (Rec. No. 332).....	2506, 2758, 2888, 3054
General Municipal Law, to amend, relative to hawking and peddling farm produce (Int. No. 297).....	140, 1159, 1268 1294 1444, 1529, 3138, 3194

General laws, to amend, relative to jurors (Int. No. 1301)...	1585
General laws, to amend, relative municipal corporations (Int. No. 942)	822
General laws, to amend, relative to the poor (Rec. No. 134)..	1216
	1434, 1525, 1572
General laws, to amend, relative to prisons (Int. No. 1269)..	1488
General laws, to amend, relative to the poor (Int. No. 947)..	823
	1159, 1267, 1293, 1444, 1528, 3192, 3542, 3545, 4007
General City Law, to amend, relative terms of office, and rooms for examining boards of plumbers (Int. No. 723)..	420
	840, 941, 1002, 1130, 1279
General laws, to amend, relative to burial of poor soldiers (Int. No. 1654)	3156
General laws, to amend section 36, known as the Stock Corporation Law (Rec. No. 262).....	1992, 2065, 2325, 2385
	2563, 2635, 2892
General laws, to amend, relative to towns (Int. No. 1297)...	1585
General laws, to amend, relative compensation of town officers (Rec. No. 212)	1792, 2062, 2185, 2233, 2312
Geneseo, relative to issue bonds for the erection of a village hall (Int. No. 1455).....	2055, 2553, 2599, 2778, 2918, 3192
Geneva, to incorporate the city, generally (Int. No. 375)...	168
	268, 317, 1862, 1980, 2737
Geneva, to incorporate the city, relative delivery of assessment roll and use of seal (Int. No. 282).....	138, 268, 318, 1542
Geneva, to amend charter, relative change of boundaries (Int. No. 1011)	960
Geneva, to amend charter, relative change of boundaries (Int. No. 1039)	1008, 3319

Geneva, to amend charter, relative to conduits, a lighting system and construction of sidewalks (Int. No. 894) ..	740, 986 1018, 1071, 1265, 1314
Geneva, to amend charter, relative to obstruction of streets and sidewalks with ice and snow (Int. No. 1166) ..	1289, 2363 2688, 2767, 2909, 3039
Gett, Augustus C., appointed page	62
Gibbs, Archie D., appointed stenographer to Committee on Ways and Means	63
Gill, J. Frank, appointed committee clerk	63
Gifts for charitable purposes, to regulate (Rec. No. 256) ..	1991 2063, 2185, 2233, 2313
Girvin, Charles A., appointed page	62
Glover, John R., appointed Deputy Clerk	62
Goewey, Dwight L., appointed page	62
Goshen, relative improving and purifying the water supply (Int. No. 3)	52, 115, 128, 182
Governor:	
annual message	19
message from, submitting statement of pardons, com- mutations and respites granted by Theodore Roose- velt, Governor, during the year 1900	117
message from, transmitting report of Charter Revision Commission	144
message from, transmitting report of State Engineer on Canals	1855
message from, relative to expenses of State printing ..	3244
Government:	
appropriation for the support of (Int. No. 173) ..	89, 670, 818 857, 984, 1006, 2953, 3134, 3381, 3914, 3940, 4140

Government—Continued:

PAGE.

appropriation for certain expenses of, and supplying deficiencies in former appropriations (Int. No. 1372) . .	1796
2511, 2687, 2767, 2886, 2939, 3746, 3868, 4064, 4140	
appointment of commission to inquire into, relative em- ployes, salaries, duties, etc., and to suggest legislation thereon (Int. No. 1631)	3004
supplemental Supply Bill (Int. No. 1701)	4061, 4139
Tax Rate Bill (Int. No. 1700)	4062, 4140
Grahamsville, monument to memory of Lieut. John Graham, relative erection (Int. No. 742)	465
Green Island, relative to Municipal Electric Light plant (Int. No. 1041)	1008, 2372, 2690, 2946, 3010, 3179, 3271, 3796
Governor's Island, relative grant of land under water (Int. No. 61)	71, 172, 190, 221, 234, 254, 336, 375, 408, 441, 954
Guider, James, appointed page	63
Guns, air and spring, relative to regulate the use of in cities (Int. No. 422)	186

H.

Hamburgh Cemetery Association, relative to change the cor- porate name (Int. No. 799) . .	525, 848, 921, 1005, 1025, 1623, 2183
Hamilton county, relative to provide for clearing Brown's Tract inlet (Rec. No. 291)	2274, 3874, 3914, 3935
Hamilton grange, relative to acquiring land and property as a memorial building (Int. No. 86)	77
Hamilton, Warren and Essex counties, relative to certain non-resident taxes (Int. No. 1386) . .	1871, 2431, 2693, 2773, 3014
	3095, 3870

Hastings-on-Hudson, relative limits of the village (Int. No. 33).....	66, 132, 146, 196, 287
Hawkers and peddlers, relative to licensing (Int. No. 1464) ..	2151
Hempstead, relative receiver of taxes (Int. No. 132) ..	85, 114 126
143, 191, 223, 952, 1006, 1172, 1211, 1213, 1415, 1437, 1656, 1739	
	2049
Hempstead, relative to planting of oysters and clams in public waters (Int. No. 591) ..	324, 592, 645, 666, 861, 930, 1130
1180, 2048, 2344, 2417, 2495, 3015, 3077, 3255	
Hempstead, relative to legalize bonds for water works purposes (Int. No. 42) ..	68, 114, 124, 134, 149
Herrington, John S., appointed postmaster ..	62
Highway Law, to amend, relative to:	
abolishing the office of overseer of highways (Int. No. 604) ..	325
abolish the labor system of taxation for highway purposes (Int. No. 606) ..	325, 1159
application of the money system of highway improvement (Int. No. 1630) ..	3004, 3264, 3320, 3335
appointment of county engineers (Int. No. 1058) ..	1011, 1439
1523, 1555, 1739, 1894, 2346	
appointment of overseers of highways (Int. No. 432) ..	187
850, 1114, 1204, 1260, 1393, 1452, 1657, 1742	
appointment of overseers of highways (Int. No. 1014) ..	960
1114, 1201, 1252, 1296, 1335, 1622	
appointment of overseers of highways (Int. No. 1037) ..	963
1435, 1520, 1553, 1739, 1898	
assessment of the cost of lands benefited, to provide for (Rec. No. 415) ..	3208, 3892, 3907

Highway Law, to amend, relative to—Continued:	PAGE.
appropriation for construction of good roads (Int. No. 1574)	2673
appropriation for construction of highways (Int. No. 1571)	2598
assessment upon lands (Int. No. 1524)	2350
amount of money to be expended by the State Engineer (Int. No. 1194)	1328, 1812, 1891, 1932, 2225, 2303, 2442 2686, 2789, 2911, 3180, 3232
commissioners and overseers of highways, duties of (Int. No. 495)	253, 1113, 1202, 1254, 1297, 1336, 1622
construction of connecting section of highways (Int. No. 805)	580, 849, 944, 1002, 1016, 1049, 3195, 3255
construction of highways in towns and providing for State aid (Int. No. 602)	325, 1438, 1568
county roads in counties adjoining a city of the first class (Int. No. 379)	168, 300, 400, 454, 849, 922, 1006 1024, 1813, 2017, 2086, 2273, 2328, 3737, 3869
county supervision of highways (Int. No. 764)	498, 2005 3009, 3275, 3325, 3491
decision of commissioners appointed to determine the necessity of laying out highways (Int. No. 769) ..	499, 849 945, 1002, 1017, 1046, 3551
expenditure of moneys raised for highway purposes (Int. No. 1050)	1010, 1379, 1472, 1514, 1656, 1746
extraordinary repairs of highways and bridges (Int. 458)	229, 850, 3008
extraordinary repairs of highways and bridges (Rec. No. 123)	1143, 3007
highway tax in unincorporated villages (Int. No. 1563) ..	2596

Highway Law, to amend, relative to—Continued:	PAGE.
improvement and maintenance of highways (Rec. No. 425)	3256, 3481, 3573, 3609
improvement and maintenance of highways (Rec. No. 95)	1007, 1160, 1268, 1319
improvement and maintenance of highways in certain counties (Int. No. 1265).....	1487
inspection of highways by commissioners and overseers (Int. No. 1260).....	1487, 1641, 1772, 1822, 1885 1957, 3307, 3332
laying out or altering highways between towns (Int. No. 1148).....	1215, 1438, 1522, 1553, 1657, 1757, 1980
liability of towns for bridge breaking (Int. No. 842)..	619 2374, 2485, 2557, 2601, 2712
plowing, digging and chopping highways (Int. No. 1101)	1079 1439, 1522, 1553, 1657, 1756, 2896, 3145, 3672
powers of board of supervisors, and to provide for improvement of public highways (Int. No. 849)....	620, 1113 1199, 1261, 1392, 1453, 2148
purchase of road machines (Int. No. 1068).....	1036
removal of stone from highways (Int. No. 90).....	78, 178 194, 216, 220, 242, 769, 818
removal of certain fences along highways (Int. No. 1285)	1544
reports of commissioners of highways (Int. No. 444)..	198 277, 314, 333, 406, 444, 954
road machines and implements (Int. No. 1266)....	1487, 1641 1773, 1825, 2016, 2102
State aid in repairing highways (Int. No. 576).....	291

Highway Law, to amend, relative to—Continued:	PAGE.
State aid to towns in repairing highways (Rec. No. 182).	1583
	1735, 1842
steam traction engines on highways (Int. No. 1025)....	962
steam traction engines on highways (Rec. No. 276)....	2150
	3360, 3488, 3531
stone crushers, purchase of, and to defray expenses of	
operating (Int. No. 295).....	140, 1380, 1615, 2041
	2220, 2451, 2570
submission of proposition to the people for improve-	
ment of highways (Int. No. 607).....	326
system of taxation for working and repairing highways	
in certain towns (Int. No. 671).....	388, 432, 484, 499
	596, 639, 1138
system of taxation for working highways, relative to	
time when it shall take effect (Int. No. 926).....	775, 1114
	1207, 1254, 1295, 1341, 1702
use of highways (Int. No. 1537).....	2420, 2883, 3123, 3174, 3381
use of highways (Rec. No. 492).....	3876
Hines, Wm. H., elected first assistant doorkeeper.....	15
Holmes, William, appointed messenger	62
Hornellsville General Municipal Law, to amend, relative to	
passage of curfew ordinance (Int. No. 848).....	620, 2000, 2320
	2392, 2877, 3120, 3177, 3328, 3554, 3697, 3706
Hornellsville, to amend charter, relative to encourage and	
promote education (Rec. No. 44).....	660
Hornellsville, Hartshorn Presbyterian Church in, relative	
to change the name (Int. No. 319).....	155, 401, 454, 478, 506
	535, 608

	PAGE.
Hornellsville, relative to justices of the peace (Rec. No. 113).	1084
	2000, 2137
Hornellsville, relative assessments for paving Main street (Rec. No. 150).....	1325, 1507, 1567
Hornellsville, charter of city, to amend, relative sidewalk and street improvements (Rec. No. 188).....	1584, 2003, 2144
	2208, 3678
Hornellsville, relative to establish a water department (Rec. No. 218).....	1869, 2001, 2144, 2207, 3679
Hotels, relative to sale of unclaimed baggage (Rec. No. 320).	2422
	2815, 2942, 3056
Hoyt, Albert E., appointed stenographer to minority leader.	63
Hudson, charter of city, to amend, relative to establish a city court (Int. No. 184).....	93, 131, 142, 143, 159, 362, 772
Hudson, House of Refuge for Women at, relative appropria- tion (Int. No. 1193).....	1328, 1711, 1975, 2010, 2182, 2255
Hudson, House of Refuge for Women at, relative appropria- tion (Rec. No. 269).....	2149, 2256, 2804, 3129
Hudson, House of Refuge for Women at, relative various re- appropriations (Int. No. 908).....	742
Hudson River Water Power Company, relative to right of way in certain counties (Int. No. 325).....	156
Hudson River Water Power Company, relative to right of way in certain counties (Rec. No. 42).....	844, 946, 980
Hunter, Charles H., appointed committee clerk.....	63
Hurd, Norman B., appointed assistant doorkeeper.....	62
Hyde Park Fire Department, relative to incorporate (Int. No. 617)....	343, 721, 784, 1006, 1023, 1212, 1580, 1625, 2737, 3015
	3076, 3255

Hyde Park Fire Department, relative to incorporate (Rec. No. 101)	1082
Hydrophobia, relative cure and prevention of, to establish (Int. No. 1230)	1420, 2069, 2183, 2221, 2562, 2617, 3305, 3331

I.

Ilion, village bonds, to legalize, relative to electric light plant (Int. No. 455)	228, 332, 383, 403, 531, 604, 1137
Italy, Yates county, relative to legalize official acts of David A. Wolven as justice of the peace (Int. No. 1521)	2349, 2764 2885, 3016, 3082, 3254
Indian Law, to amend, relative powers to contract, Tuscarora nation (Int. No. 1403)	1928, 3168
Indian reservations, relative to fixing the expenses of court trials (Int. No. 288)	139, 277, 313, 333, 406, 442, 2501, 2952
Industries, relative to further operation in the United States (Int. No. 1225)	1366
Industrial unions and associations, relative to registration of employers and employees (Int. No. 1076)	1038
Inebriates. Home for, New York city, incorporate (Rec. No. 444)	2562
Inspector of gas meters, relative appropriation for certain expenditures (Rec. No. 51)	744, 1428, 1526, 1574, 1787, 2339
Insanity Law, to amend, relative to appointment and salaries of commissioners (Rec. No. 132)	1216, 1715, 1853, 1901
Insanity Law, to amend, relative to appointment, terms of office and salaries of commissioners (Int. No. 381)	169, 847
Insanity Law, to amend, relative to liability for care and support of the insane (Int. No. 1431)	1993, 2353, 2688, 3120 3172, 3269, 3323, 3352

Insanity Law, to amend, relative to liability for care and support of the insane (Rec. No. 347).....	2749, 3159, 3244, 3291 3792, 4113
Insanity Law, to amend relative commitment and custody of insane (Int. No. 20).....	64
Insanity Law, to amend, relative to Pathological Institute (Int. No. 1627).....	2899, 3218
Insurance:	
agents of life insurance companies, relative to charges against (Int. No. 437).....	197
bankrupt corporations, to provide for transfer of securities and property (Int. No. 1277).....	1489
Church Insurance Association, relative to incorporate, (Rec. No. 292).....	2274, 2766, 2888, 3055, 3119, 3791, 4007
co-operative insurance corporations, relative to extension of the corporate existence (Int. No. 1052).....	1010 1250, 1298, 1866
domestic corporations, relative limitation of risk (Int. No. 1306).....	1630, 2159, 2328, 2380, 2601, 2705, 3548
exemption from levy and sale of benefits, etc., of fraternal beneficiary societies (Int. No. 1590).....	2754
Fidelity Mutual Title Insurance Co., relative to incorporate (Int. No. 973).....	826
foreign fire insurance corporations, to amend law, relative to (Int. No. 1162).....	1289
foreign fire insurance corporations, relative distribution of tax paid by agents (Int. No. 313)....	155, 721, 754 816, 861, 1358, 1412, 1442, 1594, 1683, 3552

Insurance—Continued:

PAGE.

fraternal societies, notice of assessments (Int. No. 820).. 582

1641, 1774, 1826, 2023, 2104, 3254

insurance upon the lives of minors, to amend law, rel-

ative to (Rec. No. 433)...3258, 3354, 3488, 3530, 3556, 3699

3714

insurance against disablement, resulting from sickness,

to amend law, relative to (Int. No. 1378)..1870, 2906, 3021

3074, 3154, 3229

insurance against disablement, resulting from sickness,

to amend law, relative to (Rec. No. 393)...3154, 3274, 3692

3814, 3827

insolvent corporations and impairment of capital stock,

to amend law, relative to (Int. No. 1348)..1792, 2160, 2239

2288, 2561, 2624, 3733, 3869

investment of funds of insurance corporations, relative

to stocks of other corporations (Int. No. 835)..... 618

life insurance policies, to amend law, relative to time

for lapsing (Int. No. 1034)..... 963

Mutual Life Insurance Co., relative annual accounting

of policyholders and distribution of profits or surplus

(Int. No. 791)..... 524

mutual title guarantee companies, to amend law rela-

tive to (Int. No. 752)..... 467

Mutual Life Insurance Co., relative to limit the expense

of obtaining new business (Int. No. 792)..... 524

Niagara Fire Insurance Co., Erie county, relative to

change name (Int. No. 315).....155, 991, 1019, 1033

Niagara Fire Insurance Co., Erie county, relative to

change name (Rec. No. 97).....1033, 1075

Insurance—Continued:

PAGE.

policies, to amend law, relative to valuation (Int. No. 1347).....	1792, 2160, 2239, 2282, 2385, 2480
reorganization of existing corporations and amendment of certificates (Rec. No. 297).....	2275, 2906, 3024, 3110, 3866 4010
repayment of excess premiums, relative in case of over-insurance against loss by fire (Int. No. 492)....	252, 721 1250, 1299, 1385, 1519, 1600
standard fire insurance policy, relative to be prescribed and used (Int. No. 1368).....	1795, 2160, 2239, 2282, 2386, 2480 3742, 3870
standard fire insurance policy, relative to be prescribed and used (Int. No. 836).....	618
title and credit guaranty corporations, to amend law relative to (Int. No. 1683).....	3374, 3555, 3698, 3703, 4137
valuation of policies, to amend law relative to (Rec. No. 323).....	2422, 2905, 3025, 3117
valuation of policies of health insurance, to amend law relative to (Rec. No. 392).....	3153, 3274, 3692, 3815, 3828
valuation of policies of health insurance, to amend law relative to (Int. No. 1379).....	1870, 2906, 3021, 3074, 3228
Ithaca, charter of city, to amend, relative to adoption of a sanitary code (Rec. No. 436).....	3258, 3477, 3571, 3631
Ithaca, relative to borrow money and issue bonds for payment of existing indebtedness (Rec. No. 353).....	2750, 2903, 3025 3116
Ithaca, to establish a system of graded schools, relative to election of school commissioners (Rec. No. 307)....	2276, 2440 2568, 2654

Ithaca, to incorporate city, relative to municipal year, election, appointment and term of city officers (Rec. No. 306).	2276
	2547, 2610, 2729
Ithaca, relative to change name of Tompkins Co. Co-operative Fire Insurance Co. (Int. No. 609)....	326, 990, 1018, 1072
	1169, 1272

J.

Jamaica, Woodhaven fire department, to incorporate, relative to officers (Int. No. 1421)...	1930, 2069, 2223, 2562, 2616
	3004
Jamestown, to incorporate the city, relative to method of drawing jurors (Int. No. 1342).	1708, 1997, 2078, 2225, 2296, 3146
Jamestown, relative to proper observation of Memorial day (Int. No. 1283).....	1490, 1997, 2079, 2387, 2453, 2743, 3552
Jamestown, to revise charter, relative to paving streets (Int. No. 1182).....	1326, 1638, 1769, 1823, 2016, 2098, 2742, 3552
Jamestown, relative to pensioning policemen (Int. No. 1440).....	1995, 2904, 3010, 3178, 3233, 3801
Johnson, Bradish, estate of, relative to executors (Int. No. 8).....	53, 113, 161, 181, 248, 254, 319
Johnson, Cassius A., appointed messenger.....	62
Johnson, Edward, appointed page.....	62
Johnston, Frank W., elected sergeant-at-arms.....	14
Johnstown, to incorporate the city, relative to annual city tax levy (Int. No. 1412).....	1929, 2363, 2450, 2686, 2789
Johnstown, to incorporate city, relative to city tax levy (Rec. No. 329).....	2504

Johnstown, to incorporate city, relative to opening, extending and laying out streets (Int. No. 1599).....	2756, 3161, 3225 3356, 3486, 3491, 3512, 3869
Judgments obtained in favor of journeymen, laborers, etc., relative collection (Int. No. 81).....	76
Jurors, commissioner of, to create, relative to exemptions of jurors (Int. No. 832).....	617, 1098, 1203, 1263, 1392, 1460, 2501
Jurors, commissioner of, in the several counties, to create (Int. No. 454).....	228, 848, 944, 995, 1132, 1189, 1702
Jurors, commissioner of, in counties having certain population, to create (Int. No. 713)....	418, 912, 964, 1012, 1264, 1309 3254
Jurors, commissioner of, to create, relative to making list of jurors (Int. No. 798).....	525, 2063, 2325, 2383, 3125
Jury, special, relative to provide for in criminal cases (Int. No. 161).....	90, 330, 382, 407, 453, 480, 596, 636, 2500
Jury, special, relative to provide for in criminal cases (Rec. No. 40).....	583, 720, 754, 792, 1134, 3487, 3520
Jurors, trial, relative to regulate the drawing of (Int. No. 36)	66

K.

Kennedy, John H., appointed committee clerk.....	63
Kingston, relative board of education to issue bonds for erection of a schoolhouse (Int. No. 967)...	825, 1440, 1512, 1558 1661, 2047, 2499
Kingston, relative board of education to issue bonds for erection of a schoolhouse (Rec. No. 190).....	1584
Kingston, relative to issue bonds for payment of bonds due of the Walkill Valley Railway (Int. No. 45)...	68, 110, 196, 286

Kline, Wm. J., appointed deputy clerk.....	62
Knapp, Amos, appointed assistant index clerk.....	62

L.

Labor Law, to amend, relative to bakers (Int. No. 13).....	54
Labor Law, to amend, relative to employment of citizens on public works (Int. No. 156).....	88, 591
Labor Laws, relative to more effective enforcement (Int. No. 560)	289
Labor Law, to amend, relative to engineers and firemen in charge of boilers and engines (Int. No. 1287).....	1544
Labor Law, to amend, relative to hours of service on rail- roads (Int. No. 931).....	776
Labor Law, to amend, relative to labeling goods manufac- tured in tenement houses (Int. No. 1111).....	1081, 2374
Labor Law, to amend, relative to preferences in employment of citizens on public works (Int. No. 571).....	290
Labor Law, to amend, relative to posting of law in factories (Int. No. 795).....	525, 855, 943, 1001, 1016, 1052, 3797
Labor Law, to amend, relative to providing wash rooms and water closets in factories (Int. No. 716)....	419, 855, 944, 1000 1129, 1188, 2411, 2500
Labor Law, to amend, relative to public laundries (Int. No. 290).....	139, 855, 1065, 1121, 1168, 1274, 1398, 1539, 1656, 1741 3796
Labor Law, to amend, relative to safety appliance for scaffolding for use of employees (Int. No. 158).....	89, 590

Labor Law, to amend, relative to scaffolding, and protection of employees on buildings in cities (Int. No. 1470).....	2152 2375, 2490, 2555, 2600, 2722
Labor Law, to amend, relative to scaffolding, and protection of persons employed on buildings in cities (Rec. No. 406).	3207
Labor Law, to amend, relative to statistics furnished com- missioner of labor (Int. No. 1469).....	2152, 2375, 2490, 2555 2601, 2722
Labor Law, to amend, relative to statistics furnished to the commissioner of labor (Rec. No. 373).....	3148
Labor Law, to amend, relative to licensing of steam engi- neers (Int. No. 1653).....	3156, 3315, 3493
Labor Law, to amend, relative to appointment of volunteer deputy factory inspectors (Int. No. 1624).....	2898
Labor Law, to amend, relative to tenement-made articles (Int. No. 543).....	267, 401, 454, 480, 596, 637, 4143
Labor Law, to amend, relative to work in tenements and dwelling houses (Int. No. 1013).....	960
Labor Law, to amend, relative to time when wages are to be paid (Int. No. 517).....	263
Labor Law, to amend, relative to wages for public works (Int. No. 855).....	654
Labor Law, to amend, relative to employment of women and children at polishing and buffing (Int. No. 794)...	525, 854, 944 1002, 1130, 1190, 3797
Iacona, Oswego Co., relative to legalize the sale of bonds (Int. No. 329).....	157, 477, 500, 596, 630, 1286, 1358
Lake George, relative to authorize Wm. S. Tuttle to raise sunken vessels (Int. No. 1021).....	961, 1436, 1524, 1556, 1738 1897, 3193

Lammert, Henry C., elected official stenographer.....	16
Lancaster, charter of village, to amend, relative to officers (Int. No. 968).....	825, 2166, 2558, 2775, 2911, 3253
Land condemned for public improvement, an act, relative to (Int. No. 190).....	98, 274, 313, 333, 405, 447, 1866, 2272
Landy, James E., appointed clerk to committee on railroads.	63
Lawrence, A. D., appointed chief messenger in charge of pages	62
Leave of absence granted to:	
Mr. Adler	89, 135
Mr. Allds	135
Mr. Bedell	1291
Mr. Bell	522, 2419
Mr. Baum	579
Mr. Brill	1292
Mr. Burns	579
Mr. Cotton	89
Mr. Coughtry	1418
Mr. Honeck	2807
Mr. Hyman	579
Mr. Kaiser	158
Mr. Knipp	1292
Mr. Leggett	102, 137, 1322
Mr. Lewis, M. E.....	97
Mr. Morgan	1292
Mr. Nye	579
Mr. O'Malley	89
Mr. Phillips	228, 1292
Mr. Plank	158

Leave of absence granted to—Continued:	PAGE.
Mr. Rierdon	282, 367
Mr. Roberts	1621
Mr. Sherer	1361
Mr. Smith, A. R.....	616
Mr. Smith, J. L.....	89
Mr. Treat	196, 367
Mr. Ulman	158
Mr. Weber	1292, 1874
Mr. Weekes	739
Legislative printing, relative appropriation for balance due upon contract expired (Int. No. 1665)....	3214, 3277, 3325, 3491 3557, 3697, 3705, 3871
Legislative Law, to amend, relative to provide for drafting of bills (Int. No. 725).....	420, 623, 663, 670, 728, 758, 1360
Legislative Law, to amend, relative to extra copies of mes- sages and reports (Rec. No. 413).....	3208
Legislative Law, to amend, relative officers and employees of Senate and Assembly and their compensation (Int. No. 1556).....	2507, 2675, 2783, 3010, 3179, 3204, 3211, 3359, 3380 . 3485, 3504, 3797
Legislative Law, to amend, relative printing of messages and reports (Int. No. 745).....	466
Leonard, Edgar, a notary public, relative to legalize the acts of (Rec. No. 133).....	1216, 1366, 1480, 1533
Lien Law, to amend, relative to advance payments (Int. No. 316)	155, 392, 454, 521, 541, 607
Lien Law, to amend, relative to building and loan contracts and mechanic's liens (Int. No. 1429).....	1993
Lien Law, to amend, relative creating a lien on property held by third parties (Int. No. 123).....	83

Lien Law, to amend, relative to ensilage and fodder-cutting machinery (Int. No. 1012).....	960, 1720, 1833, 1888, 1931 2081, 2200
Lien Law, to amend, relative to the extent and priority of liens (Int. No. 157).....	89
Lien Law, to amend, relative place of filing chattel mortgages (Int. No. 797).....	525, 848, 944, 1068, 1128, 1329, 1409 1559, 1613, 1764, 2346
Lien Law, to amend, relative to filing of notice of lien (Int. No. 98).....	79, 113, 126, 133, 134, 152, 1356, 1418, 1865, 3793
Lien Law, to amend, relative to liens of hotel, inn, boarding and lodging house keepers (Int. No. 291).....	139
Liquor Tax Law, to amend, relative to certificates to fruit growers (Int. No. 1159).....	1288, 1820, 1973, 2010, 2180, 2250, 2298
Liquors, traffic in, to amend law, relative to arrests for violation (Int. No. 549).....	288
Liquors, relative to regulate the traffic in, by local authorities (Int. No. 17).....	64
Liquors, traffic in, relative to local option (Int. No. 1252).....	1423 3812, 3817, 3999
Liquors, traffic in, to amend law, relative to local option (Rec. No. 334).....	2596, 3265, 3355, 3488, 3559, 3700, 3709
Liquors, traffic in, relative to regulate (Int. No. 1530).....	2419
Liquor Tax Law, to amend, relative to payment of revenues derived from liquor taxes to villages (Int. No. 1061).....	1035
Liquor Tax Law, to amend, relative to side-doors, side-entrances, screens and blinds (Int. No. 224).....	104, 1011
Liquors, traffic in, to amend law, relative to tax certificates (Int. No. 1125).....	1140

Literature fund, relative to distribution to academic schools (Int. No. 1598)	2755, 3211, 3265, 3313, 3327, 3379, 3452, 3871
Lighthall, Miss Ada, appointed stenographer	63
Little Falls, relative to legalize assessments for construction of sewers (Int. No. 431)	187, 844, 921, 1005, 1021
Little Falls, relative to legalize assessment for construction of sewers (Rec. No. 86)	874, 1374, 1480, 1535
Little Falls, relative purchase of fire apparatus (Rec. No. 68)	828, 990, 1021, 1062, 1265, 1313, 1359
Little Falls, relative purchase of fire apparatus (Int. No. 768)	498, 843, 941, 997, 1131, 1183
Little Falls, relative to incorporate the city (Rec. No. 326)	2504
	2903, 3024, 3113
Little Falls, relative to grading of Whited street (Int. No. 430)	187
Little Falls, relative to grading of Whited street (Rec. No. 15)	327, 395, 456, 494
Lloyd, L. J., appointed page	63
Lockport, to revise charter, relative to claims, actions and collection of taxes (Int. No. 860)	655, 841, 941, 999, 1131
	1184, 1359, 1699
Lockport, relative incorporation of cemetery association (Int. No. 47)	68, 190, 222
Lockport, relative to provide for a city hospital (Int. No. 1522)	2349, 2761, 2885, 3016, 3083, 3550
Lockport, to revise charter, relative to city taxes (Rec. No. 105)	1082, 1223, 1300, 2049
Lockport, to revise charter, relative to water supply (Rec. No. 216)	1868

Lockport, to revise charter, relative to water works (Int. No. 1106)	1080, 1506, 1563, 1589, 1738, 1847, 1980
Long Island Baptist Association, relative to amend proceedings of incorporation (Int. No. 1639)	3006, 3168, 3225 3314, 3326, 3379, 3455, 3686
Long Island City, relative to claim of Thomas Penders (Int. No. 566)	290, 1371, 1475, 1511, 1559, 1670, 3252
Long Island City, relative unpaid taxes, water rates and rents (Int. No. 324)	156, 1114, 1208
Long Island City, relative unpaid taxes, water rates and rents (Rec. No. 179)	1583
Long Island Railroad Ferry, relative to reduce the rate of ferriage on (Int. No. 358)	165, 625
Long Island State Hospital, relative to convey land to the town of Smithtown (Int. No. 876) ..	657, 853, 945, 997, 1131, 1186 1780, 1867
Ludolph, Andrew, appointed messenger	62
Lyons, to incorporate the village, relative to election of police justice (Int. No. 685)	413, 723, 752, 922, 1005, 1029 1265, 1307, 1417
Lyons, relative construction of a bridge over the Erie canal at Water street (Int. No. 1529)	2419
Lyons, bridge over Erie canal at Water street, relative to construction (Int. No. 1353)	1793, 3482, 3568, 3585, 4137
M.	
MacKenzie, Mervyn, relative examination for admission to the bar (Int. No. 212) ..	102, 1099, 1206, 1253, 1296, 1346, 2211 2334
Malles, Paul A., appointed general messenger	63

Malone, Institution for Deaf-Mutes at, relative appropriation for addition (Int. No. 906)....	742, 1424, 1617, 1645, 1832 1910, 3193
Mamakating, town of, to authorize railroad commissioners to issue bonds (Int. No. 209)...	102, 276, 313, 334, 405, 448, 789
Manchester, relative to change name of the First Presbyterian Society (Int. No. 608)...	326, 854, 941, 1001, 1015, 1045, 1212 1624, 1625, 1701
Manhattan Mortgage Co., to incorporate, relative to increase its capital stock (Int. No. 1337)...	1708, 2064, 2235, 2281, 2289 2394, 3065
Manor of Rensselaerwyck, relative to leases affecting title of property (Int. No. 1641).....	3007
Matthews, Eddie A., appointed page.....	62
Mayville, to incorporate the village, relative to amount of annual village tax (Int. No. 1391)...	1872, 2160, 2219, 2388, 2458 3127, 3796
McCarragher, D. J., appointed assistant superintendent of documents	62
McDowell, Robert, appointed page.....	63
McGrawville, to amend charter of village, relative to fire department (Int. No. 1320)....	1631, 2161, 2328, 2559, 2776, 2923 3548
McKinstry, Louis, appointed Speaker's clerk.....	54
McKnight, E. S., appointed stenographer.....	63
McLaughlin, John B., appointed general messenger.....	63
McMurray, James G., appointed clerk to committee on codes.....	63

Mechanics' tools, relative to provide for a safe repository for (Int. No. 706).....	417, 2766, 2888, 2907, 3013
Mechanicville, bridge over Champlain canal connecting Burke avenue with Francis street, relative to construc- tion (Int. No. 1094).....	1078, 1709, 1842, 1879, 2081
Mechanicville, relative to establish a public park (Int. No. 25)	65, 131, 161, 181, 191, 225, 440, 510, 954
Mechanicville, to amend charter of village and repeal cer- tain acts (Rec. No. 175).....	1582
Mechanicville, charter of village to amend, relative to street sprinkling fund (Int. No. 1377).....	1869, 2174, 2239, 2282, 2451 2572, 2741
Medical societies, relative to exempt from taxation (Int. No. 160).....	90, 3874, 3913, 3926
Mechanicville, to amend charter, relative to powers of trus- tees (Int. No. 1114).....	1081, 1510, 1557, 1738, 1893, 2500
Medina, relative to reappropriate money for the erection of a State armory (Int. No. 369).....	167, 295, 382, 403, 440, 493
Members absent without leave of the House:	
Mr. Cook	2316
Mr. Fordyce	2316
Mr. Geoghan	2110
Mr. Hallock	3457
Mr. O'Brien	3441
Mr. Plank	2316
Mr. Rierdon	2110
Mr. Thorne	3559
Mr. Vacheron	3441

Membership Corporations Law, to amend, relative to family cemetery corporations (Int. No. 1291)	1545, 2062, 2184, 2220 2387, 2470, 3194
Membership corporations, to amend general laws, relative to Christian associations (Int. No. 1587)	2754
Membership corporations, to amend law, relative to Christian associations (Rec. No. 468)	3556, 3693, 3699, 3715
Membership Corporations Law, to amend, relative consolidation of corporations (Int. No. 979)	869
Membership Corporations Law, to amend, relative to cemeteries in certain counties (Int. No. 1444)	2053, 2758, 2887 2907, 3013, 3099
Membership Corporations Law, to amend, relative acquiring land for cemetery purposes in certain counties (Rec. No. 192)	1630
Membership Corporations Law, to amend, relative cemetery land (Int. No. 976)	868
Membership Corporations Law, to amend, relative to information for use of members (Int. No. 1622)	2898, 3159 3171, 3179, 3272, 3548
Membership Corporations Law, to amend, relative special meetings for election of directors (Rec. No. 399)	3156, 3215 3281
Merchandise, certain articles of, relative to prevent fraud in manufacture and sale (Int. No. 1241)	1421, 2434, 2566, 2599 2777, 3026
Merchandise, certain articles of, relative to prevent fraud in manufacture and sale (Int. No. 1142)	1142

Memorial or Decoration Day, relative to proper observance of, in towns (Rec. No. 100).....	1008, 1115, 1210, 1283
Memorial of the Prison Association of New York.....	2418
Middleport, relative appropriation for a drain (Int. No. 1109)	1081
	1425, 1526, 1553, 1657, 1760, 2346
Middletown, to incorporate city, relative to issue bonds for improving water works (Int. No. 303)....	141, 200, 232, 258
	336, 411, 595, 622, 818, 1212
Milanville Bridge Co., relative to incorporate and construct bridge over the Delaware river (Int. No. 384)...	169, 622, 818
	858, 926, 975
Military Code, relative to amend general laws (Int. No. 231)	118
	428, 485, 501, 669, 761, 795, 2664, 2744
Military instruction in schools, relative to cities of the 1st and 2d class (Int. No. 900).....	741, 2433, 2690, 2767, 2910, 3043
Militia, relative to amend general laws (Int. No. 259).....	122
Millard, James H., appointed messenger	62
Miller, Miss Carrie, appointed stenographer to committee on cities	63
Miller, Henry J., appointed committee clerk.....	63
Miller, Lloyd, appointed committee clerk.....	63
Miller, Raymond D., appointed page.....	62
Milo, relative to appropriation for bridge over outlet of Crooked lake (Int. No. 498)....	253, 1713, 1842, 1879, 2019, 2108
	3253
Minden, relative to construction of a steel bridge over Otsquago creek (Int. No. 413).....	185, 1147, 1355, 1386, 1519
	1609, 3193, 3473, 3543, 3545

	PAGE.
Missionary Society of the Most Holy Redeemer, relative to release real estate from assessments (Int. No. 810).....	581
Mohawk aqueduct, relative to construction of bridge over Erie canal (Rec. No. 389)....	3153, 3361, 3488, 3527, 3635, 4034 4035
Money deposited with the State, relative to loan commis- sioners to record mortgages made by them (Int. No. 258)..	121
Money, relative to regulate the loaning of when a salary is security for payment (Int. No. 874).....	657, 1434, 1618, 1645 1832, 1919
Money, relative to regulate the loaning of, in certain cases (Int. No. 659).....	386
Money, transmission of to foreign countries, relative to regu- late (Int. No. 1197).....	1361
Monroe county, relative to bicycles and sidepaths (Int. No. 1495).....	2277, 2816, 3259, 3320, 3333
Monroe county, relative to enrollment of members of polit- ical parties (Rec. No. 131).....	1216, 1366, 1480, 1532
Montefiore Home for Chronic Invalids, relative to changing its corporate name (Rec. No. 239)..	1988, 2062, 2185, 2262, 2592
Montgomery, relative to revise charter of village and repeal certain acts (Rec. No. 70).....	829, 1032, 1062
Montgomery, relative to revise charter of village and repeal certain acts (Int. No. 206).....	100, 995, 1019
Montgomery county, relative to make the office of sheriff salaried (Int. No. 1206)..	1363, 2076, 2324, 2383, 2562, 2633, 3136
Monument in commemoration of Twenty-eighth Regiment, relative to appropriation for construction (Int. No. 814)..	582 2056, 2236, 2281, 2452, 2573, 3136

Monument to the memory of the Thirty-fourth Regiment Volunteer Infantry, relative to provide for erection (Rec. No. 409).....	3208, 3333, 3691, 3696, 3814, 3836
Moore, Jerry, appointed page.....	62
Moore, W. S., appointed deputy clerk.....	62
Morehouse, for relief of, relative to taxes on lands (Int. No. 1161).....	1289, 1642, 1772, 1821, 1886, 1956, 2741, 3364
Mortgages of record in certain cases, relative to discharge (Int. No. 366)....	167, 910, 966, 1017, 1074, 1265, 1313, 1519, 1579 2590, 2744
Mortgages, to amend law, relative to discharge of (Rec. No. 66)	827
Morris, Tribush, appointed stenographer.....	63
Mount Morris, to revise charter, relative to unpaid village taxes (Int. No. 1381)....	1870, 2552, 2693, 2767, 2910, 3048, 3253
Mount Vernon, relative to appropriation for enlarging the armory (Int. No. 597).....	324
Mount Vernon, to amend charter, relative to board of educa- tion (Int. No. 1478)....	2216, 2550, 2607, 2684, 3015, 3088, 3252 3686
Mount Vernon, charter of city, to amend, relative to city boundaries (Int. No. 1042).....	1008
Mount Vernon, charter of city, to amend, relative to city officers and official newspapers (Rec. No. 53)....	745, 990, 1021 1060, 1980, 2345
Mount Vernon, to amend charter, relative to powers of com- mon council (Rec. No. 380)....	3150, 3263, 3477, 3482, 3571, 3634
Mount Vernon, relative for relief of the Church of the Ascen- sion (Int. No. 395).....	171

	PAGE.
Mount Vernon, relative to establish the office of comptroller (Rec. No. 27).....	467, 586, 651
Mount Vernon, relative to construction of an outlet sewer (Int. No. 1001).....	872
Mount Vernon, to revise charter, relative to fire department (Int. No. 880).....	658
Mount Vernon, relative to relief of First University Society (Int. No. 121).....	83, 401, 455, 478, 505, 538, 819, 1581, 1861
Mount Vernon, relative to acquire lands for library site and issue bonds (Int. No. 1479)....	2216, 2548, 2607, 2680, 2886, 3031
Mount Vernon, relative to acquire lands for library site and issue bonds (Rec. No. 350).....	2749, 3068
Mount Vernon, to amend charter, relative to free public library (Rec. No. 149).....	1325, 1809, 1892, 1967
Mount Vernon, charter of city, to amend, relative to marshal of city court (Int. No. 986)....	870, 1492, 1807, 1890, 1931, 2080 2203, 3146, 3687
Mount Vernon, charter of city, to amend, relative to officers (Int. No. 821).....	582
Mount Vernon, relative to provide for a police pension fund (Int. No. 895).....	740
Mount Vernon, relative for relief of the Roman Catholic Church of the Sacred Heart (Int. No. 394).....	170
Mount Vernon, relative for relief of the Roman Catholic Church of the Sacred Heart (Rec. No. 33).....	526
Mount Vernon, relative to school sites and alteration of schoolhouses (Int. No. 702)....	417, 1165, 1355, 1386, 1518, 1610
Mount Vernon, relative to construction of an outlet sewer (Rec. No. 362).....	2751

Mount Vernon, charter of city, to amend, relative to ward boundaries (Int. No. 999).....	872, 1507, 1563, 1589, 1738, 1845 2212, 2807, 3312
Mount Vernon, to amend charter, relative to ward boundaries (Rec. No. 243).....	1988
Mount Vernon, relative to widening and extending White Plains road (Int. No. 703).....	417, 1501
Munn, Stephen B., and wife, relative to sale of lands (Int. No. 1164).....	1289, 2353, 2688, 2768, 2910, 3043, 3547
Murden, David S., appointed committee clerk.....	63
Murphy, Henry A., appointed committee clerk.....	63
Muzzey, H., appointed page.....	62

N.

Nassau county, relative to compensation of assessors and commissioners of highways (Rec. No. 231).....	1987
Nassau county, relative salary of district attorney and county clerk (Int. No. 1290)...	1545, 1816, 1891, 1934, 2225, 2301 2742
Nassau county, relative to extend term of office of certain town officers (Int. No. 1673).....	3259
Nassau county, relative compensation of sheriff (Int. No. 568)	290, 589, 646, 662, 748, 808, 1137, 1560
Nassau county, relative to authorize town boards to recopy their records (Int. No. 611)....	326, 589, 646, 663, 748, 807, 1137 1560
Naturalization, relative to regulate the procedure in courts (Int. No. 35).....	66

	PAGE.
Naval Arch Association, relative to incorporate (Rec. No. 215)	1868, 2040
Navigation Law, to amend, relative to application of article five (Rec. No. 280).....	2150, 3809, 3892, 3911
Navigation Law, to amend, relative to floating of logs or rafts in Lake George (Int. No. 695)....	415, 625, 918, 1065, 1122 1329, 1404, 3136
Navigation in certain tide waters, relative to protect (Int. No. 189)	98
Newburgh, charter of city, to amend, relative powers of Common Council to enforce ordinances (Int. No. 210)....	102 475, 508, 529, 669, 763
Newburgh, charter of city, to amend, relative powers of Common Council to enforce ordinances (Rec. No. 26).....	467 1810, 1892, 1965
Newburgh, relative to care and maintenance of indigent persons (Int. No. 1096).....	1079, 1371, 1477, 1515, 1656, 1751
Newburgh, charter of city, to amend, relative to water supply and collection of water rents (Int. No. 211)....	102, 475 508, 528, 669, 762, 2047
Newfane, Wilson and Lewiston, relative to refund indebtedness and issue bonds (Int. No. 1486).....	2218, 3263, 3321, 3339 3798
New Rochelle, to amend charter, relative to city officers (Int. No. 1119)....	1139, 1494, 1620, 1651, 1935, 2029, 2502, 3788, 4030
New Rochelle, to incorporate the city, relative playgrounds for children (Int. No. 1572).....	2598, 2902, 3124, 3174, 3381
New Rochelle, to incorporate the city, relative play grounds for children (Rec. No. 387).....	3153, 3260, 3361, 3487, 3524

New Rochelle, to amend charter, relative to bonds for road improvements (Int. No. 1272).....	1488
New Rochelle, appropriation for public library (Rec. No. 479)	3692, 3695, 3815, 3841
New Rochelle, relative sewer system in residence park (Int. No. 827).....	616, 1092, 1352, 1386, 1519, 1604, 2743, 3333
New York city, charter, to amend, relative to:	
actions for penalties (Rec. No. 151)....	1325, 1809, 1976, 2011
	2182, 2257, 2502
actions for penalties (Int. No. 898).....	740, 1234, 1397, 1442
	1558, 1666
appeals in abandonment proceedings (Int. No. 1089)...	1078
	1504, 1566, 1589, 1739, 1852
assessments for local improvements, collections of (Int. No. 1552).....	2507
assessment and taxation of lands used as reservoirs, etc. (Int. No. 306).....	154, 987, 1067, 1121, 1130, 1197
	1703, 2734, 3310
attendants of courts (Int. No. 1116)....	1139, 2549, 2605, 2685
	3015, 3085
auctioneers (Int. No. 29)....	65, 585, 817, 858, 1016, 1040, 1264
	1308
board of docks, and to municipal ownership of ferries (Int. No. 147).....	87
board of City Record (Int. No. 1688)..	3374, 4035, 4053, 4135
bureau for recovery of penalties (Int. No. 1351).....	1793
bureaus for division of service in law department (Int. No. 1239)	1421

New York city, charter, to amend, relative to—Continued

city magistrates, method of selecting (Int. No. 943)...	822
	1094, 1354
children's fold, participation by, in the distribution of	
school fund (Int. No. 925).....	775, 1505, 1565, 1589, 1738
	1849, 2046, 2949
clerk to sign warrants (Rec. No. 28).....	526, 989, 1020, 1056
	1982, 2395, 3308
coroners (Int. No. 1593).....	2754
court of special sessions (Int. No. 829).....	617, 1493, 1619
	1645, 1831, 1915
contracts for work or supplies (Int. No. 439).....	198
city court of New York (Rec. No. 299).....	2275
department of buildings (Int. No. 142).....	86
department of buildings, relative to penalties for viola-	
tion of Building Code (Int. No. 1518).....	2349
department of docks and ferries (Int. No. 1696)...	3564, 4034
	4042, 4139
department of docks and ferries (Int. No. 1698)...	3696, 4035
	4049, 4135
department of docks and ferries (Int. No. 1689)...	3375, 4035
	4047, 4136
department of education (Int. No. 1687).....	3374, 4035
	4052, 4135
department of education (Int. No. 1074).....	1037
department of education (Int. No. 335)....	163, 719, 750, 786
	1006, 1027
department of education (Int. No. 1497).....	2278
department of public printing, to establish (Int. No.	
910)	742

New York city, charter, to amend, relative to—(Continued	PAGE.
department of street cleaning (Int. No. 988).....	870, 1224
department of street cleaning (Int. No. 777).....	522
district clerks (Int. No. 1376)....	1869, 2551, 2692, 2772, 3014
	3093
elevators in apartment and tenement houses (Int. No.	
1360)	1794
exempt or veteran volunteer firemen's associations in	
boroughs of Queens and Richmond (Rec. No. 381)..	3150
exempt or veteran volunteer firemen's associations in	
boroughs of Queens and Richmond (Int. No. 1245)..	1422
	2357, 2483, 2557, 2686, 2790
exhibitions on Sunday (Int. No. 1355).....	1793
fees in municipal courts (Int. No. 666).....	387, 1505, 1564
fees in the municipal court (Int. No. 1009).....	959
ferries (Int. No. 1315).....	1586, 1807, 1889
fire commissioners, to define powers, relative to relief	
fund (Int. No. 1087)....	1077, 1634, 1770, 1800, 1995, 2079
	2224, 2298
fire commissioners, to define the powers of (Int. No.	
722)	420, 840, 942, 998, 1076
fire commissioners, to define powers (Int. No. 1080)....	1039
	1635, 1770, 1801, 1996, 2078, 2225, 2297, 3799
fire commissioners, to define powers (Int. No. 1079)....	1038
	1637, 1769, 1800, 1995, 2078, 2181, 2243, 3799
foreign fire insurance companies, relative distribution	
of moneys (Int. No. 73).....	75, 131, 147, 158, 221, 235
	1417, 2147
gas, establishment of a system and plant (Int. No. 21)..	64
	1977

	PAGE.
New York city, charter, to amend, relative to—Continued	
general powers of commissioners as to management of	
parks (Int. No. 334).....	162, 718, 750, 787, 1005, 1029
	1174, 3658, 3800
Greater New York Charter, to amend generally (Rec.	
No. 363)	2751, 2820, 2821, 2864, 2876, 2892, 4023
Hellgate pilots (Int. No. 1526).....	2419, 3260, 3314, 3574
inferior courts of criminal jurisdiction, to equalize the	
salaries of city magistrates (Int. No. 225).....	104
Inferior courts of criminal jurisdiction and providing	
for trials by jury (Int. No. 146).....	87
lands under water, patenting of, by commissioners of	
the land office (Int. No. 32) . . .	66, 1234, 1397, 1443, 1655, 1744
licensing places of dancing (Int. No. 1475).....	2216
licensing places of public exhibitions and dancing (Int.	
No. 317) . . .	155, 840, 942, 996, 1129, 1192, 1394, 1594, 1685
	2036
lights in theatres (Int. No. 1357).....	1794
local improvements (Int. No. 1442) . . .	1995, 2550, 2606, 2680
	2778, 2933
municipal court (Int. No. 223) . . .	104, 329, 382, 404, 531, 603
	1621
municipal court of the city of New York (Int. No. 692). . .	415
	841, 941, 1003, 1129, 1185
municipal court, city of New York (Int. No. 96).....	79
municipal court, city of New York (Int. No. 246) . . .	120, 475
	509, 529, 669, 765
municipal court, city of New York (Int. No. 141) . . .	86, 986
	1020, 1075, 1265, 1317, 1355

New York city, charter, to amend, relative to—Continued	PAGE.
municipal court, city of New York (Int. No. 129)	84, 273
315, 381, 407, 453, 478, 505,	531
municipal court, city of New York (Int. No. 97)	79
New Aldermanic district, to create (Int. No. 164)	90
newspapers to be designated in which corporate notices	
are to be advertised (Int. No. 679)	389, 1492, 1619, 1651
	1936, 2030
offensive trades in the several boroughs (Int. No. 971) .	826
1998, 2368, 2445, 2693, 2904, 3021, 3075, 3268, 3323, 3378	
	3443
occupying public streets as hack stands (Int. No. 559) .	289
patented articles, purchase of (Int. No. 1031)	962, 1807, 1890
	1932, 2081, 2201
patrolmen and firemen, qualifications of (Rec. No. 130) .	1216
	1374, 1479
pension fund for the police department (Int. No. 1246) .	1422
piers for recreative purposes, borough of Manhattan	
(Int. No. 1487)	2218, 2759, 3122, 3177, 3381
piers in borough of Manhattan, relative to setting apart	
for recreative purposes (Int. No. 737)	465, 1635, 1971
	2012, 2386, 2460
police commissioner (Int. No. 1154)	1288, 1505, 1566, 1591
	1887, 1945, 2388, 2454
police department (Int. No. 1366)	1795
police department (Int. No. 1686)	3374, 4035, 4046, 4134
police department (Int. No. 949)	823, 1370, 1474, 1553
	1739, 1894
police department (Int. No. 569)	290
police department granting licenses (Int. No. 641)	366, 1372
	1478, 1515, 1656, 1754, 2346, 3204

New York city, charter, to amend, relative to—Continued	PAGE.
police force (Int. No. 1121).....	1140, 3482, 3484
powers of the fire commissioner (Int. No. 935).....	821, 1802
	1975, 2010, 2082, 2189, 2289
precautions against fire and use of aisles in places of amusement (Int. No. 321).....	156, 273, 315, 335, 481, 514
prevention of fires, explosives and combustible ma- terials (Int. No. 1243).....	1421, 2155, 2331, 2601, 2694, 3685
publication of notices of contracts to be awarded or bonds to be sold (Int. No. 1657).....	3156
public libraries, acceptance of donations, bequests and devises (Int. No. 1392).....	1872
public markets, use of, for sale of farm and garden produce (Int. No. 846)....	619, 1639, 1771, 1868, 1924, 2879
	2907, 3013, 3080
public school janitors (Int. No. 952).....	824
public school janitors (Rec. No. 155)....	1418, 2362, 2487, 2574
	2646, 4112
public school system (Int. No. 1195).....	1328
rates for goods, etc. (Int. No. 688).....	414
repeal section 1619 of chapter 397 (Int. No. 286).....	139
retirement funds (Int. No. 729).....	421
salaries of interpreters in the municipal courts (Int. No. 1328)	1706
school teachers' retirement fund (Int. No. 889).....	659, 842
	1064, 1122, 1329, 1402, 1542, 2147
Schuyler, Campbell Valentine, certain lands in, rela- tive to release to (Rec. No. 136).....	1217, 1425, 1526, 1575
street cleaning department (Int. No. 503).....	260, 1220

New York city, charter, to amend, relative to—Continued	PAGE.
street cleaning department (Int. No. 648)...	385, 1803, 2153 2238, 2286, 2561, 2620
superintendent of boilers and boiler inspectors formerly employed in Brooklyn and Long Island City (Rec. No. 163).....	1485, 1639, 1775, 1854
teachers, license of (Int. No. 1697)....	3564, 4035, 4044, 4139
tenement houses (Int. No. 1433).....	1993
tenement houses (Rec. No. 365).....	2808
tenement house department, to create and define its powers and duties (Int. No. 1434).....	1994
tenement house department, to create and define its powers and duties (Rec. No. 366).....	2808
treasurer of Kings county, to abolish the office (Int. No. 284)	138
vaults under sidewalks, payment of fees for construction (Rec. No. 169).....	1485, 1511, 1640
vaults under sidewalks, payment of fees for construction (Int. No. 884).....	658, 1088, 1206, 1262, 1444, 1485, 1576
veterans (Int. No. 667)).....	387
water supply (Int. No. 5)....	52, 328, 382, 408, 439, 596, 634 959, 1321

New York city, general:

advertisements on fences, relative to prevent (Int. No. 521).....	263, 2548, 2607, 2681, 3014, 3089, 3230
appropriation, relative to supplying coal to the poor (Int. No. 18).....	63
Association for the Improved Instruction of Deaf- Mutes, relative for relief of (Rec. No. 21)....	390, 586, 651

New York city, general—Continued:	PAGE.
auctioneers in, relative to licensing and regulating bonds of (Int. No. 502).....	260
Beth Isreal Hospital Association, relative for relief from taxes and water rents (Int. No. 1179).....	1291
Beth Israel Hospital Association, relative for relief from taxes and water rents (Rec. No. 228).....	1987, 4057
board of estimate and apportionment, relative to claim of Peter Androvett and others, relative to school dis- trict No. 7, in town of Westfield, Richmond county (Int. No. 1658).....	3157, 3549, 3891, 3900, 4139
board of public improvements, relative to lay out and construct street from Eastern Parkway to Forrest Park in borough of Brooklyn (Rec. No. 422)....	3256, 3700 3707
bond for appearance, to amend local and special laws, relative to (Int. No. 1350).....	1793, 1999, 2320, 2384, 2563 2627
bridge over Bronx river, to provide for (Int. No. 1619)..	2897
bridge over the Harlem river, relative to construction (Int. No. 941).....	822
bridge over the Harlem river, relative to construction (Rec. No. 181).....	1583, 2435, 2567, 2652
Brown, Manheim, relative for relief of (Int. No. 533)..	266
Brown, Mary J., relative to damage to property caused by change of grade (Int. No. 263).....	129, 838, 1064, 1121 1168, 1277, 1867, 2049, 2050, 2212, 2338, 2560, 2611. 2894 3793
board of public improvements, relative to lay out and construct street from Eastern Parkway to Forrest Park in borough of Brooklyn (Int. No. 1633)....	3005, 3555

New York city, general—Continued:

PAGE.

building department, relative to plans and specifications (Int. No. 1691).....	3375
building for hospital, borough of Bronx, relative to provide for construction (Int. No. 621).....	363
building for hospital purposes in borough of Bronx, to provide for (Rec. No. 266).....	2053, 2359, 2487, 2575
buildings for public library purposes, relative to provide for (Int. No. 1410).....	1929
building masons and bricklayers in, an act relative to (Int. No. 332).....	158, 2367
bureau of elections in, to provide for continuance (Int. No. 1099).....	1079, 2362, 2600, 3178, 3232, 4013, 4140
bureau of elections in police department, relative to abolish (Int. No. 24)....	64, 174, 194, 216, 220, 241, 521, 541
	788, 865, 927, 971, 1132, 1175
bureau of municipal statistics and records, to create (Int. No. 1675).....	3318
Cass, John, relative to release to, certain lands in city (Int. No. 1059).....	1035, 1713, 1841, 1879, 2080, 3135, 3363
Catherine market, relative to discontinuing the use of (Int. No. 460).....	229, 2359, 2482, 2557, 2601, 2709
causeway, bridge or viaduct across Jerome park reservoir, relative to lay out and establish (Rec. No. 328)..	2504
	3260, 3360, 3489, 3577, 4033
certain lands in city, relative to acquiring title to and improving for purpose of small park (Int. No. 1561)..	2508
Church of the Sacred Heart, relative for relief of (Rec. No. 343)	2748

New York city, general—Continued:	PAGE.
city officials, relative to terminate the terms of office (Int. No. 23).....	64, 110, 125
city of Queens, separation from New York city, relative to submit question to the people (Int. No. 359).....	166
civil service of the city, relative employment of union veterans (Int. No. 1032).....	963
claim of Wm. Anderson for services rendered (Int. No. 213)	102, 587, 647, 662, 747, 811, 1622, 2400
claim of Valentine M. Collins for services rendered (Int. No. 85).....	77, 200, 232, 258, 282, 311
claim of Charles Coyle for services rendered in Court of Special Sessions (Int. No. 1321) ..	1631, 2159, 2327, 2384 2561, 2643, 3551
claim of M. A. Diamond, relative to payment (Rec. No. 354)	2750, 3478, 3572, 3603
claim of Michael E. Finnegan for services rendered, relative to payment (Int. No. 978)....	869, 1089, 1201, 1253 1295, 1334, 1980, 2035
claim of Joseph. H. Garvey for services rendered, rela- tive to payment (Int. No. 845).....	619, 1504, 1566, 1589 1738, 1851, 2742, 3553
claim of Michael Gavin, relative to payment (Rec. No. 352)	2750, 2903, 3025, 3115
claim of Kingsley Lloyd for services rendered (Int. No. 272)	130
claim of Kingsley Lloyd for services rendered (Int. No. 137)	86
claim of Kingsley Lloyd for services rendered (Int. No. 242)	119, 174, 194, 216, 221, 241, 1781, 1866

New York city, general—Continued:

PAGE.

claim of Wm. Grady, Patrick Mannix, John Bender
and Geo. E. Glendenning, for services as sealers
(Int. No. 1202) 1362, 1637, 1769, 1825, 2023, 2097, 3198

claim of Patrick J. McDonnell for services rendered,
relative payment (Int. No. 992) 871, 1996, 2319, 2383
2563, 2626

claim of Denis O'Sullivan, relative to services rendered
in municipal court (Int. No. 1344) . . . 1709, 2154, 2236, 2281
2385, 2477, 2743, 3553

claim of John R. Powers for services as dockmaster,
relative to payment (Int. No. 1659) . . 3157, 3316, 3492, 3800

claim of John W. Turner for services rendered, relative
to payment (Int. No. 865) 655, 1370, 1475, 1512, 1558
1613, 1887, 1941, 3252

claim of Margaret F. Tyson as executrix of Isaac C.
Tyson, deceased (Rec. No. 57) 745, 1374, 1481, 1537

claims of Charles J. Weiss, William A. Sheldon, Joseph
Quin, Patrick J. McEvily and S. J. Hanley (Int. No.
49) 69, 329, 382, 402, 441, 487, 509, 1621, 2400

claims, relative to payment of certain judgments
against the city (Int. No. 1120) 1139, 1370, 1474, 1512
1559, 1668, 3550

claim of certain persons for services rendered in
department of health (Int. No. 537) 267, 720, 752
784, 926, 971

claim of certain persons for services rendered in office
of commissioner of jurors, relative payment (Rec.
No. 139) 1217, 1303, 1350

New York city, general—Continued:

PAGE.

claim of John J. White for services rendered as dock-	
master, relative to payment(Int. No. 1508).....	2280, 2550
	2599, 2777, 2921, 3197
claim of certain persons for services rendered in de-	
partment of finance, relative payment (Int. No. 932)..	778
	1088, 1206, 1252, 1295, 1345
claim of certain persons for services rendered in office	
of commissioner of jurors (Int. No. 953)...	824, 1224, 1300
claim of certain persons for services rendered in magis-	
trates' court (Int. No. 1035)....	963, 1376, 1615, 1645, 1832
	1907
Coleman, Catherine E., relative for relief of (Int. No.	
1341)	1708, 1998, 2078, 2224, 2295, 3146
commission to inquire into local government, em-	
ployees, salaries, duties, etc., relative appointment	
(Int. No. 1562).....	2596
commissioner of highways, relative to build bridges,	
viaducts, etc., across railroad tracks (Int. No. 914)...	774
	2003, 2139, 2177, 2224, 2306
commissioner of jurors, relative to appointment (Rec.	
No. 272).....	2149, 2351, 2690, 3159, 3242, 3356, 3495, 3786
commission to revise, amend and codify the laws,	
rules and practices in municipal court, city of New	
York (Int. No. 99)..	79, 719, 818, 859, 1016, 1041, 1703, 2399
comptroller discharge taxes of Greenfield et al. (Rec.	
No. 499).....	3914, 3997
Congregation Holy House of Jacob, relative for relief	
of (Int. No. 972).....	826

New York city, general—Continued:

PAGE.

Consolidation Act, relative to certain exemptions from taxation (Int. No. 1523).....	2349
county clerks, New York, Queens and Richmond counties, relative to keeping a register of moneys deposited (Rec. No. 419).....	3209, 3478, 3571, 3625
county clerks, New York, Queens and Richmond counties, relative to keeping a register of moneys deposited (Int. No. 786).....	523, 1719, 1837, 1883, 1926 1996, 2181, 2245
delegates elected to conventions in, relative direct vote of electors (Int. No. 903).....	741, 1714
department of charities, pay of nurses (Rec. No. 470) ..	3694 3698, 3730
department of parks, relative to jurisdiction over certain streets (Rec. No. 89).....	875, 1639, 1775, 1802, 1976 2219, 2388, 2463, 2775, 2917, 3202
department of parks, relative to jurisdiction over certain streets (Int. No. 989).....	870
Dowling, David W., for relief of, relative payment for services rendered (Int. No. 793).....	524, 1506, 1563, 1589 1739, 1848, 3251
East River bridge, relative to authorize the construction of (Int. No. 48).....	69, 175, 193, 217, 259, 304
East River bridge, relative to receipt of sealed bids and proposals (Rec. No. 410).....	3208
East River bridge, relative to elevation (Int. No. 377) ..	168
Elliot & Hatch Book Typewriter Co., relative for relief of (Int. No. 28).....	65, 216, 256, 280, 369, 410, 1138, 1863

New York city, general—Continued:

PAGE.

employment agencies, relative to regulate (Int No. 1276)...1489, 1807, 1890, 1931, 2081, 2205, 2502, 3667,	4136
Evangelical Lutheran Church of Our Saviour, relative for relief of (Int. No. 203).....	100
ferries, relative to regulate the early morning trips (Int. No. 93)	78
ferries, relative to regulate the fare for foot passengers (Int. No. 92)	78
ferries, to prohibit the operation of boats thirty-five years old (Int. No. 91).....	78
ferries, relative to regulate monthly commutations (Int. No. 94)	79
ferries plying between Tenth and Twenty-third streets, New York, and Greenpoint avenue, Brooklyn, relative to regulate the hours (Int. No. 268).....	129
ferry routes between Manhattan and Queens, relative to reduce rates of ferriage (Int. No. 269).....	130
fire commissioners, relative certificates of discharge to volunteer firemen (Int. No. 1517)....2349, 3317, 3377, 3436	
fire commissioners, relative to promote, without examination, certain members of the department (Int. No. 1462).....	2151
fire commissioners, relative to rehear and determine charges against firemen for reinstatement (Int. No. 109).....	81
fire commissioners, relative to rehear and determine charges against James Cook (Int. No. 595).....324, 1093, 1352	
	1386, 1519, 1605

New York city, general—Continued:

PAGE.

- fire commissioners, relative to rehear and determine
charges against James J. Enright (Int. No. 108)..... 81
2360, 2482, 2557, 2602, 2707
- fire commissioners, relative to rehear and determine
charges against Jacob H. Fath (Int. No. 294)....140, 2359
2482, 2556, 2602, 2708
- fire commissioners, relative to reappoint William H.
Kleinfelder (Int. No. 760)..497, 2002, 2139, 2177, 2226, 2305
- fire commissioners, relative to rehear and determine
charges against William O'Donnell (Int. No. 596)... 324
1496, 1619, 1646, 1832, 1916
- fire commissioners, relative to rehear and determine
charges against Charles Wiegert (Int. No. 63)..... 73
- firemen, relative to legalize and confirm certain appoint-
ments (Int. No. 128)..84, 395, 455, 772, 820, 1034, 1068, 1069
1132, 2405, 2686, 2785
- firemen, relative to legalize and confirm certain appoint-
ments (Int. No. 1496)..... 2278
- fireman operating steam stationary boilers, relative to
licensing (Int. No. 504)....260, 1376, 1638, 1768, 1821, 2022
2093, 3745, 3801
- firemen, relative to permit reinstatement of certain (Int.
No. 658).....386, 1372, 1475, 1511, 1558. 1671
- First Judicial Department, relative to binding of books
for certain libraries (Int. No. 771)....499, 718, 746, 860
927, 1360
- free public library system, to establish and maintain
(Int. No. 1482).....2217, 2550, 2598, 2776, 2920, 3198

New York city, general—Continued:	PAGE.
Fulton Market Fishmongers' Association, to incorporate, relative renewal of lease (Int. No. 1247)....	1422, 1719
1841, 1883, 2181, 2246, 2413, 3248	
gas, relative to regulate the price of (Int. No. 1428)....	1993
gas companies in borough of Manhattan, relative to consolidation (Int. No. 1670).....	3258
gas main leakage under streets and public roads, to provide for reports of (Int. No. 539).....	267
German Society, relative to incorporate (Rec. No. 106)..	1083
1434, 1525, 1571	
German St. Stephen's Evangelic Lutheran Church, relative for relief of (Int. No. 1494).....	2277
grade crossings, relative to abolish (Int. No. 140)...86,	2072
2324, 2383, 2560, 2634	
grade crossings, relative to abolish (Rec. No. 240)..	1988, 2439
2567, 2653	
Grand boulevard, relative to lay out and establish an approach and entrance (Rec. No. 298)...2275,	2547, 2609
2726	
Greenfield property, relative to cancel and discharge certain taxes, interest and assessments (Int. No. 1608).....	2809
Greenwich park, relative to lay out and improve (Int. No. 1578).....	2674
Hamilton grange, relative to acquire land and property as a memorial of Alexander Hamilton (Int. No. 1694)	3484, 3810, 3891, 3901, 4031
Hebrew Benevolent and Orphan Asylum Society, relative to amend charter (Int. No. 1473).....	2215

New York city, general—Continued:

PAGE.

Hebrew Benevolent and Orphan Asylum Society, relative to amend charter (Rec. No. 426).....	3257, 3481, 3570 3633
Hebrew Sheltering Guardian Society and Dominican Convent, to exempt from taxation (Int. No. 293).....	140
Hebrew Sheltering Society, Orphan Asylum and Dominican Convent, relative to exempt from taxation, assessments and water rents (Rec. No. 271).....	2149
Hell Gate pilots (Rec. No. 485).....	3695, 3814, 3833
hospital for treatment of acute nervous and mental diseases, to provide for (Int. No. 1232).....	1420
illuminating gas in boroughs of Brooklyn, Richmond and Queens, relative to regulate the price (Int. No. 1600).....	2756
illuminating gas in boroughs of Manhattan, the Bronx and Brooklyn, relative to regulate the price (Int. No. 256).....	121
illuminating gas, relative to inspect (Int. No. 538).....	267
Inebriates' Home, to incorporate and provide funds for maintenance (Int. No. 1636).....	3006, 3159, 3224, 3326
Inebriates' Home, to incorporate and provide funds for maintenance (Rec. No. 444).....	3355, 3489, 3534, 3562
Jamaica and Brooklyn plank road, relative assessment for certain expenses incurred by the cities of Brooklyn and New York (Int. No. 114)....	81, 175, 192, 217, 221, 237 1359, 1625, 1887, 1937, 2148, 2499
journeymen, laborers, etc., relative commencement of certain actions (Int. No. 82).....	77

New York city, general—Continued:	PAGE.
Kenyon, George W., relative to grant of certain land under water, New York bay (Int. No. 873)	657, 2812, 2941 3010, 3179, 3270, 3471
Kunzli, Emil, relative for relief of (Int. No. 624)	363, 476 507, 528, 595, 643, 2047, 2949
Lafayette place, relative construction and maintenance of railways upon (Int. No. 1319)	1631, 2003, 2139, 2178 2226, 2306
land in Eighth ward, borough of Brooklyn, relative to exchange (Int. No. 508)	261, 393
land in Eighth ward, borough of Brooklyn, relative to exchange (Rec. No. 43)	660, 1508
library corporations in, relative to convey their property to certain libraries (Int. No. 727)	420, 917, 967, 1137
library companies, relative to consolidation (Int. No. 1413)	1929, 2158, 2363, 2557, 2776, 2916, 3252
Manhattan, certain piers in borough, relative to setting apart for recreative purposes (Int. No. 558)	289
Manhattan and Third avenue railroads, relative to trans- fer tickets (Int. No. 183)	93
Manhattan street opening and widening, relative to fees of commissioners (Int. No. 1535)	2420
Manhattan street opening and widening, relative to fees of commissioners (Rec. No. 377)	3149, 3263, 3557, 3699 3722
McGee, James F., commissioner of deeds, relative to legalize official acts of (Int. No. 1570)	2597, 2899, 3011 3178, 3238, 3550

New York city, general—Continued:

PAGE.

Metropolitan Museum of Art in Central Park, relative to appropriation (Int. No. 735).....	464
Metropolitan Museum of Art in Central Park, relative to appropriation (Rec. No. 50).....	744, 844, 947
Metropolitan elections district, relative to create and appointment of a State superintendent (Int. No. 1209) .	1363
midwifery, practice of, to regulate (Int. No. 491) . . .	252, 393
	455, 478, 505, 537
municipal court, relative to fees (Rec. No. 112) . . .	1083, 1564
municipal courts, relative to service of summons (Int. No. 775)	522, 841, 941, 998, 1131, 1183, 2212, 3668
navigation in certain tide waters, relative to protect (Int. No. 163)	90, 433, 625, 626, 728, 746, 1005, 1026
	1622, 2400
New York African Society for Mutual Relief, relative to re-incorporation (Int. No. 328) . .	157, 584, 626, 747, 798, 1138
New York and Astoria ferry, relative to regulate fare for foot passengers (Int. No. 365)	167
New York and Brooklyn Bridge, extend facilities (Rec. No. 491)	3876, 3913, 3930
New York and East River ferry, relative to reduce the ferriage on (Int. No. 360)	166
New York Christian Home for Intemperate Men, to increase its powers, relative to location (Int. No. 475) . .	231
	331, 368, 481, 511, 610
New York Incorporation Co., act to incorporate (Rec. No. 503)	3876
office of register, relative to certifying copies of instruments of record (Int. No. 1638)	3006, 3315, 3379, 3450

New York city, general—Continued:

PAGE.

- One Hundred and Thirty-fifth street west of St. Nicholas
avenue, relative to widening (Int. No. 87)....77, 588, 648
668, 860, 934, 3663, 3800
- Palladino, Joseph, relative to payment for services ren-
dered (Int. No. 1067)....1036, 1505, 1566, 1588, 1737, 1850
3799
- park board and commissioners, relative to legalize per-
mits (Rec. No. 96).....1007, 1639, 1775, 1853
- park board, to legalize permits, relative to certain pro-
jections on Central Park west (Int. No. 1550)..2507, 2760
2889, 2908, 3013, 3105, 3252
- Patent and Copyright Protective Association, relative
for relief of (Int. No. 1441).....1995, 3485, 3503, 3871
- Peabody Home for Aged Women, relative to cancel cer-
tain taxes (Rec. No. 22).....390, 587, 652, 735
- Pelham avenue, borough of Bronx, relative to assess-
ments for improvements (Rec. No. 428)....3257, 3478, 3571
3629
- pension to Mary Bowen (Rec. No. 482).....3695, 3815, 3839
- Peters, Wm. R., relative to release to certain lands in
city (Int. No. 875).....657, 876, 1065, 1123, 1329, 1405
2211, 2416
- police commissioners, relative to rehear and determine
charges against policemen of certain grades for rein-
statement (Int. No. 110).....81
- police commissioners, relative to rehear and determine
charges against Thomas S. Baldwin (Int. No. 639).... 365
2153, 2327, 2379, 2601, 2702

New York city, general—Continued:

PAGE.

- police commissioners, relative to rehear charges against
 John J. Bennett (Int. No. 31) . . . 66, 1506, 1564, 1591, 1831
 1904
- police commissioners, relative to rehear and determine
 the charges against Thomas Cassidy (Int. No. 555) . . 288
 3161, 3243, 3265 3327
- police commissioners, relative to rehear and determine
 charges against Solomon Cohen (Int. No. 202) . . . 99, 1505
 1565, 1590, 1831, 1905
- police commissioners, relative to rehear and determine
 charges against Thomas B. Dillon (Int. No. 345) . . 164, 1638
 1768, 1828, 2019, 2096
- police commissioners, relative to rehear and determine
 charges against Alphonsus L. Dusseldorf (Int. No.
 344) 164, 1637, 1769, 1828, 2021, 2099
- police commissioners, relative to rehear and determine
 charges against Richard J. Fitzgerald (Int. No. 709) . 417
- police board, relative to inquire into the dismissal of
 James Fitzgibbons (Int. No. 550) . . . 288, 1373, 1474, 1513
 1657, 1748
- police commissioners, relative to rehear and determine
 charges against Thomas Gilday (Int. No. 1299) . . 1585, 2154
 2237, 2282, 2386, 2479
- police commissioners, relative to reappoint David Heil-
 forty (Int. No. 387) 169, 1636, 1768, 1829, 2023, 2094
- police commissioners, relative to rehear and determine
 charges against Wm. H. King (Int. No. 582) . . . 292, 1372
 1477, 1514, 1655, 1752

New York city, general—Continued:

PAGE.

police commissioners, relative to rehear and determine
charges against Geo. T. Kratz (Int. No. 670)....388, 1506
1563, 1592, 1887, 1944

police commissioners, relative to rehear and determine
charges against Michael Linehan (Int. No. 1581).... 2674
3690, 3811, 3829

police commissioners, relative to reappoint Daniel
Lydon (Int. No. 782).....523, 1088, 1204, 1262, 1392, 1465

police commissioners, relative to rehear and determine
charges against Patrick Masterson (Int. No. 934)... 821

police commissioners, relative to rehear and determine
charges against Patrick M. McCarthy (Int. No. 412).. 185
1638, 1771, 1830, 2021, 2101

police commissioners, relative to pay pension to
Margaret McClary (Int. No. 1385)...1871, 2158, 2237, 2282
2451, 2571

police commissioners, relative to pay pension to
Margaret McClary (Rec. No. 302).....2275, 2589

police commissioners, relative to reappoint Robert Mc-
Farland (Int. No. 505)....260, 1092, 1199, 1261, 1392, 1454

police commissioners, relative to rehear and determine
charges against John H. McIntyre (Int. No. 346).... 164
1638, 1776, 1827, 2017, 2105

police commissioners, relative to reappoint Walter J.
Moore (Int. No. 647).....384, 842, 1064, 1121, 1169, 1275

police commissioners, relative to reappoint William M.
Munde (Int. No. 187).....97, 841, 1064, 1128, 1329, 1403

police commissioners, relative to rehear and determine
charges against Samuel T. Munson (Int. No. 197)..99, 1372
1473, 1516, 1656, 1747

New York city, general—Continued:

PAGE.

- police commissioners, relative to reappoint Rudolph
Neuschaffer (Int. 803)....580, 1495, 1619, 1647, 1935, 2031
- police commissioners, relative to rehear and determine
charges against Jeremiah O'Brien (Int. No. 831).... 617
1373, 1475, 1516, 1656, 1750
- police commissioners, relative to rehear and determine
charges against Henry J. O'Hare (Int. No. 993)..... 871
1998, 2320, 2383, 2563, 2628
- police commissioners, relative to reappoint John W.
Pinkley (Int. No. 216).....103, 839, 943, 1000, 1015, 1053
- police commissioners, relative to reappoint Robert H.
Quinn (Int. No. 410)..... 185
- police commissioners, relative to rehear and determine
charges against Henry J. Seymour (Int. No. 1312)... 1586
1999, 2320, 2379, 2601, 2698
- police commissioners, relative to rehear and determine
charges against Edgar Sharp (Int. No. 1606)..... 2809
- police commissioners, relative to rehear and determine
charges against William Strauss (Int. No. 649)..... 385
- police commissioners, relative to rehear and determine
charges against Andrew A. Sullivan (Int. No. 402). 171
- police commissioners, relative to reappoint Eugene
Thompson (Int. No. 893)..740, 1808, 1890, 1932, 2225, 2300
- police commissioners, relative to reappoint Fernando T.
Whiting, Jr. (Int. No. 1082)..1039, 2003, 2140, 2178, 2224
2307
- police department, uniformed employees, Brooklyn
bridge, relative civil service (Int. No. 936).....821, 1375

New York city, general—Continued:

PAGE.

- police department, relative telegraph operators (Rec. No. 448).....3562, 3691, 3814, 3835
- police department, relative to single commissioner (Rec. No. 5).....268, 329, 370, 374, 865
- police force, relative appointment of certain patrolmen as roundsmen (Int. No. 1178)..1291, 2152, 2327, 2382
2601, 2703
- Port Richmond Engine Co. No. 3, borough of Richmond, relative for relief of (Int. No. 1465).....2152, 2373, 2485
2555, 2686, 2792, 3003, 4027, 4136
- public dock in borough of Bronx, relative to provide for (Int. No. 1584)..... 2753
- public lighting in borough of Queens, relative to payment (Int. No. 1088)....1078, 1492, 1620, 1646, 1831, 1915
1978, 2743, 4028, 4136
- public park, relative to provide for laying out and improvement (Int. No. 485)..... 251
- railroads operating in, to establish rate of fares (Int. No. 465)..... 230
- rapid transit railways, relative to provide for (Int. No. 1409).....1928, 2360, 2481, 2681, 3014, 3084
- rapid transit railways, relative to provide for (Rec. No. 367).....2897, 3913, 3927, 4134
- recorder, city judge and judge of Court of General Sessions, relative to fix compensation (Int. No. 374)..... 168
- recorder, city judge and judges of Court of General Sessions, relative to fix compensation (Int. No. 1690)... 3375
3810, 3892, 3903, 4136

New York city, general—Continued:

PAGE.

- religious corporations, borough of Bronx, to exempt real estate from assessments (Int. No. 767)..... 498
- Riverside drive, extension of, relative to assessment of damages (Int. No. 748).. 466, 1223, 1300, 1385, 1520, 1601
3666, 3801
- Roman Catholic Orphan Asylum, relative to remit certain taxes (Rec. No. 319).....2422, 3873, 3912, 3919
- Schuyler, Campbell Valentine, to release all right, title and interest to certain real estate (Int. No. 815)..... 582
- sheriff, expenses of (Rec. No. 477).....3695, 3892, 3906
- St. Austin's school, relative to relief from taxation (Int. No. 1138).....1142, 3810, 3891, 3902
- St. John's Armenian Apostolic Church, relative to exempt certain real estate from taxation (Int. No. 71).. 75
- St. John's Armenian Apostolic Church, relative to exempt from taxation certain real estate (Rec. No. 289). 2215
3692, 3815, 3843
- St. Joseph's Asylum, relative to release real estate from assessments (Int. No. 1124)..... 1140
- St. Joseph's Asylum, relative to release real estate from assessments (Rec. No. 184).....1583, 2413, 2551, 2650
- St. Joseph's Asylum, relative to release real estate from assessments (Int. No. 811)..... 581
- St. Rose's Settlement of the Catholic Social Union, relative to incorporate (Rec. No. 396)....3155, 3477, 3571
3630
- soldiers, sailors and marines of late war, relative to increase appropriation for payment (Int. No. 1151).... 1215

New York city, general—Continued:	PAGE.
soldiers, sailors and marines of late war, relative to increase appropriation for payment (Int. No. 1085)....	1077
	1371, 1473, 1511, 1559, 1584
soldiers, sailors and marines of late war, relative to increase appropriation for payment (Rec. No. 187)...	1584
	1680
street railways and ferries, to regulate fare during certain hours (Int. No. 428).....	187, 1810
surface and elevated railroad cars in actual operation, relative to (Int. No. 473).....	231
transportation of passengers by common carriers, relative to regulate (Int. No. 1463).....	2151
transportation connection with wharves and docks in cities (Rec. No. 497).....	3913, 3929, 4035, 4055
tunnel under East river, to repeal law, relative to (Int. No. 238).....	119, 2879, 3023, 3074, 3228, 3286
Twelfth ward, relative acquisition of land for public building (Int. No. 1309).....	1631, 2154, 2237, 2282, 2387
	2478, 3311
Twelfth ward, relative to exchange certain real property for public purposes (Rec. No. 339)...	2747, 2903, 3025, 3114
Twenty-third and Twenty-fourth wards, relative to damages caused by change of grade (Rec. No. 327)...	2504, 2877
	2942, 3057
Wallace, Margaret J., relative notice of action for damages against the city (Int. No. 148)...	87, 274, 317, 333, 406
	459
Wallace, Margaret J., relative notice of action for damages against the city (Rec. No. 10).....	294, 459

New York city, general—Continued:

PAGE.

water mains, pipes and hydrants, to lay, relative supply of water (Int. No. 326) ..	157, 2361, 2482, 2556, 2602, 2709
water supply, relative to provide for (Int. No. 1576)...	2673
water supply, borough of Bronx, relative to extend and improve (Rec. No. 147).....	1325, 1508, 1567, 1677
water supply, relative to improvement and extension (Int. No. 1510).....	2280, 2878
Williamsburg Volunteer Firemen's Association, rela- tive purchase of suitable headquarters (Int. No. 59) ..	71
Williamson, John N., assignee of claim of Jamaica Electric Light Co., relative for relief of (Rec. No. 9) ..	294
	476, 576, 600, 1369, 1442, 1558, 1661, 2048, 3847
Woodside Water Co., relative claim for furnishing water to Long Island City (Rec. No. 335)....	2596, 3481
	3573, 3612

Borough of Bronx:

county of Bronx, relative to erect (Int. No. 859) ..	655
religious corporations, relative cancellation of assessments (Rec. No. 452).....	3562
Stierle, Franciska, relative to release all rights, title and interest to certain real estate (Int. No. 208)	102, 188, 223, 246, 260, 284, 3194, 3363
White Plains avenue in, relative to widening and improving (Int. No. 882).....	658, 1087, 1200

Borough of Brooklyn:

appointment of marshals (Int. No. 580).....	291, 987
	1087, 1208, 1581, 1696, 1737, 1885, 1948, 2737, 2798

New York city—Borough of Brooklyn—Continued:	PAGE.
appropriation, relative to repairing and enlarging armory of the Forty-seventh Regiment (Int. No. 590)	323
Ashland place, relative construction and operation of railroads upon (Int. No. 72) . . . 75, 624, 727, 746,	860
939, 3912, 3922,	4139
assessments for grading several streets (Int. No. 65)	74, 272, 314, 334, 405, 451
Atlantic avenue, relative to certain assessments for grading (Int. No. 66) . . . 74, 200, 232, 258, 282,	310
Atlantic avenue, to regulate and improve, relative removal of steam railroad (Rec. No. 39)	527, 916
971, 1055,	2402
Avenue F trunk sewer, relative to assessments (Int. No. 367)	167, 1085, 1369, 1472, 1512, 1559, 1667
Bedford avenue, relative operation of street and steam railroads upon (Int. No. 195)	99, 174, 194
989, 1018, 1072, 1169,	1270
Bedford avenue, relative to opening, extending and improving (Int. No. 193)	98, 274, 314, 335, 481
513, 1358, 2400,	3794
bridge over Newtown creek, relative to construc- tion (Int. No. 1314)	1587, 2880
Brooklyn Baptist Orphanage, relative to incor- porate (Int. No. 623)	363, 590, 652, 2742
Brooklyn Library, for relief of, relative to taxes upon its real estate (Int. No. 718)	419
Bushwick avenue, relative to provide for paving (Int. No. 227)	117, 273, 314, 334, 405, 450

New York city—Borough of Brooklyn—Continued:

PAGE.

Carlton avenue, relative construction and operation

of railroads upon (Int. No. 111) 81, 200, 232, 394

574, 592, 729, 1320, 1360, 2733

Church Charity Foundation, to amend charter,

relative to number of managers (Int. No.

285) 139, 279, 300, 370, 409, 819

claim of members of the old board of assessors,

relative to payment (Int. No. 689) . . . 415, 587, 647, 662

748, 812

claim of John Brady for filling in block of ground,

relative to payment (Int. No. 1605) 2809

claim of John Brady for filling in block of ground,

relative to payment (Int. No. 1591) 2754

claim of laborers, relative to inspection of hy-

drants (Int. No. 584) 292, 719, 752, 784, 926, 973

2047, 2950

commissioner of jurors and special commissioner

of jurors, relative to consolidate (Int. No. 677) . . 389

county clerk, Kings county, relative to make the

office salaried (Int. No. 150) 88, 126, 723, 2076, 2324

2383, 2561, 2632

county clerk, Kings county, relative to make the

office salaried (Rec. No. 313) 2350, 2883, 2943, 3019

Cropsey avenue, relative construction, operation

and maintenance of railways on (Int. No. 1128) . . 1140

2073, 2183, 2220, 2385, 2474, 3548

department of parks, relative to (Rec. No. 23) . . . 390

459, 495

New York city—Borough of Brooklyn—Continued:	PAGE.
department of parks, to amend law, relative to (Int. No. 442)	198, 393, 455
district attorney, Kings county, relative to provide for election and appointment of clerks (Int. No. 126)	83, 176, 193, 219, 259, 303, 3192, 3688, 3850 3893, 4011, 4139
elevated and street railroads in, relative to limit the fares (Int. No. 912)	773
elevated railroads, relative to facilitate travel upon and limit the fares (Int. No. 477)	250, 282
fire department in towns of New Lots, Flatbush, New Utrecht, Gravesend and Flatlands, relative to appropriation (Int. No. 1545)	2421, 2760, 3010 3066, 3180, 3229, 3317, 3381, 3501
Greene avenue, relative injuries to buildings caused by sewer (Int. No. 958)	824
improvements in 29th, 30th, 31st and 32d wards, relative issue of bonds (Int. No. 951)	823
Kings county, relative to additional court for trial of indictments (Int. No. 486)	252
Kings county, relative appointment of a commissioner of records (Int. No. 233)	118
Kings county, judicial sales in, relative to the expenses (Int. No. 280)	138, 1100, 1352, 1633, 1768
Kings county penitentiary, relative to removal, sale of lands and transfer of inmates (Int. No. 192)	98, 843
Kings county penitentiary, relative to removal, sale of lands and transfer of inmates (Rec. No. 87)	874, 1369, 1805, 1975, 2011, 2387, 2570, 2644, 2892

New York city—Borough of Brooklyn—Continued:	PAGE.
Kings county, relative to make the office of regis- ter salaried (Int. No. 151).....	88, 126, 726, 915, 2075 2321, 2383, 2562, 2630
Kings county, relative to make the office of regis- ter salaried (Rec. No. 314).....	2350, 2882, 2943, 3017
Kings county, relative to make the office of sheriff salaried (Int. No. 171).....	91, 724, 2075, 2324, 2384 2561, 2631
Kings county, relative to make the office of sheriff salaried (Rec. No. 315).....	2350, 2883, 2943, 3018
Kings county, relative to election and terms of sheriff, county clerk, district attorney and register (Int. No. 1323).....	1706
Livingston street, widening of (Rec. No. 489)....	3811 4034, 4038
municipal court, borough of Brooklyn (Int. No. 75).	75 176, 256, 280, 406, 456, 1138, 1864
Orphan Asylum Society of the Reformed Churches, relative to change name (Rec. No. 71).....	829, 1120 1210, 1284
park in the Thirteenth ward, relative to lay out and establish (Int. No. 1609).....	2809
pier foot of Noble street, relative to for recreation purposes (Int. No. 744)....	465, 1087, 1205, 1253, 1297 1348
police and municipal courts, relative purchasing sites for buildings (Int. No. 585).....	292, 2357, 2483 2556, 2603, 2711
Prospect avenue, relative to grading and paving (Int. No. 139).....	86

New York city—Borough of Brooklyn—Continued:	PAGE.
Prospect avenue, relative to provide for improvement (Int. No. 273).....	130
Prospect avenue, opening of, relative to refund assessments (Int. No. 635).....	365, 1635, 1771, 1822 1886, 1951, 3799
Prospect avenue, relative to improvement (Rec. No. 200).....	1705, 3162, 3244, 3290
public dock in the Eighth ward, relative to establish (Int. No. 1127)...	1140, 2004, 2140, 2178, 2225, 2308
public market in the Eighth ward, relative to establish (Int. No. 76).....	75
public recreation grounds at Coney Island, relative to provide for (Int. No. 214).....	103
railroads in, relative to regulate the rate of fare upon (Int. No. 518).....	263
railroads operating in, relative to limit the fares (Int. No. 400).....	171
real estate in, to release all right, title and interest of the people to Mary Kinneally (Int. No. 249)...	120
Remsen avenue, relative to opening, laying out and improving (Int. No. 196)....	99, 394, 456, 479, 595, 638 1359, 2398
Richard street, relative to provide for paving (Int. No. 1617)	2897, 3161
Sea Breeze avenue, relative to close certain portion of (Int. No. 479).....	251
Sea Breeze avenue, relative to opening, grading and improving (Int. No. 194).....	99

New York city—Borough of Brooklyn—Continued:

PAGE.

Sea Breeze avenue, relative to assessments for grading and paving (Int. No. 408) 184, 587, 647, 663
747, 809, 1358, 2147

sewerage and drainage of Twenty-ninth and Thirty-second wards, to provide for (Int. No. 950) . . . 823
1507, 1563, 1589, 1737, 1846, 3133, 3200

Sixteenth avenue, relative to construction, operation and maintenance of railways on (Int. No. 1126) 1140

Sixteenth avenue in former town of New Utrecht, relative to opening (Int. No. 1115) . . . 1082, 1375, 1442
1558, 1663, 3145

Thirtieth ward, relative to discontinue proceedings for improvement of certain streets (Int. No. 1488) 2218, 2549, 2606, 2681, 2886, 3028, 3550

water, storing and supplying of and to construct new reservoir, dams and mains (Int. No. 610) . . 326
778, 964, 1015, 1130, 1173, 1777, 1866, 2418, 2660, 2910
3032, 3200

trust company, organization of, to provide for (Int. No. 241) 119

Volunteer fire departments, relative to benevolent funds (Rec. No. 183) 1583, 2361, 2488, 2578

Borough of Queens:

borough of Queens, relative to unpaid taxes, water rates and rents (Int. No. 632) . . . 364, 1088, 1204, 1385
1520, 1597, 1887, 1940, 3471

New York city—Borough of Queens—Continued:	PAGE.
Edgemere, public park at, relative to lay out and establish (Int. No. 721)	419, 840, 942, 1094, 1167 1295, 1330, 1402, 1597
gas in, to regulate the price of (Int. No. 738)	465
illuminating gas in, to regulate the price of (Int. No. 696)	415
Queens county, relative to certain contracts for sprinkling country roads (Int. No. 902) .	741, 1439, 1523 1561, 1588, 1739, 1844, 2502, 3670
Queens county, relative to make the office of county clerk salaried (Int. No. 896)	740, 2442, 2691, 2768 2910, 3038
Queens and Nassau, relative preservation of macad- amized and other public highways (Int. No. 58) . .	70 114, 126, 133, 191, 224
Queens county, relative preservation of macadam- ized streets, and construction of railroads on (Rec. No. 160)	1484, 2071, 2185, 2265, 4118
Queens county, relative collection of taxes in North Hempstead and Oyster Bay (Rec. No. 19)	389, 432 484, 509, 539
Queens county, relative to rebinding and recopying certain books of record in clerk's office (Rec. No. 408) .	3208, 3264, 3362, 3485, 3499, 3690, 3812, 3830, 4032
Queens county, relative to make the office of sheriff salaried (Int. No. 872)	656, 2441, 2691, 2767, 2910 3037, 3250, 3475, 3490, 3567, 3603
Queens county, relative to taxable transfers of property (Int. No. 449)	199

New York city—Borough of Queens—Continued:	PAGE.
Queens County Trust and Title Co., relative to incorporate (Int. No. 614).....	326
taxation, to produce equality of, relative for the years 1898, 1899 (Int. No. 899)..	741, 1373, 1478, 1511
1657, 1754, 1868, 1924,	3198
trunk sewer and disposal plant in Fifth ward, relative construction (Int. No. 969)...	826, 1087, 1201
1386, 1444, 1527,	1577
New York and London Trust Co., relative to increase the number of its directors (Int. No. 1680).....	3373
New York and London Trust Co., relative to increase the number of its directors (Int. No. 1693)..	3375, 3554, 3697, 3816
	4137
New York State Title Guarantee Co., relative capital stock (Rec. No. 185).....	1584, 3360, 3488, 3530, 3556, 3700, 3713
Niagara, relative appropriation for State Reservation (Int. No. 1418).....	1930
Niagara, relative appropriation for drainage of lands (Int. No. 556) .	288
Niagara county, relative to claim of Roswell Park (Int. No. 1255).....	1486, 1642, 1772, 1822, 1886, 1954, 2346, 2947
Niagara Falls, relative assessments for paving State Reser- vation (Int. No. 1163).....	1289
Niagara Falls, to incorporate city, relative to issue of bonds by board of education (Int. No. 1676)...	3319, 3554, 3696, 3701
	3795
Niagara Falls, to incorporate city, relative to designation of a mayor pro tempore (Int. No. 1656).....	3156

	PAGE.
Niagara Falls, to incorporate city, relative terms of officers (Int. No. 1417)..1930, 2360, 2482, 2770, 3015, 3084, 3269, 3323 3353, 3685	
Niagara Falls, relative assessments for paving State Reser- vation (Rec. No. 180).....1583, 1697	
Niagara Falls, to incorporate, relative to increasing the number of wards, salary of officers, etc. (Int. No. 390).. 170 272, 381, 436, 596, 634, 867	
Niagara Falls, to incorporate, relative to increasing the number of wards, salary of officers, etc. (Rec. No. 91)..... 875	
Niagara river, to repeal law, relative to Mather Power Bridge Co. (Int. No. 746)..... 466	
Niagara, lower river, Power and Water Co., relative to incor- porate (Int. No. 1416).....1930, 2762, 3162	
Niskayuna Power Co., relative to construct and maintain a dam across Mohawk river (Int. No. 1503)..2279, 2763, 2889, 2907 3013, 3104	
Niskayuna Power Co., relative to construct and maintain a dam across Mohawk river (Rec. No. 405)..3207, 3557, 3699, 3720	
Nixon, S. Frederick, elected Speaker..... 9	
Normal schools, relative to officers of local school boards and their compensation (Int. No. 1620)..2898, 3168, 3242, 3265, 3327 3482, 3569, 3595, 4031	
Norwich, to amend charter of village, relative paving of streets (Int. No. 39).....67, 100, 107, 109, 128	
Norwich, to legalize acts of board of trustees, relative to paving East Main street (Int. No. 1153)..1216, 1367, 1387, 1394 1455, 1866	

Nunda, to revise charter of village, relative to highway taxes (Int. No. 1380).....	1870, 2552, 2607, 2680, 2885, 3029, 3253
Nyack hospital, relative to support (Int. No. 494) ..	254, 588, 626
	749, 799
Nyack hospital, relative to support (Rec. No. 69).....	828

O.

Oak Orchard creek, relative appropriation for deepening and straightening (Int. No. 690) ..	415, 2056, 2236, 2282, 2451, 2570
	3872
Odell, John B., appointed assistant superintendent of wrap- ping department	62
Ogdensburg, to incorporate the city, relative to boundaries (Rec. No. 286).....	2215, 2357, 2488, 2577
Ogdensburg, relative to provide for inspection of electric light and gas meters (Rec. No. 217)....	1868, 2373, 2491, 2588
Ogdensburg, relative to provide for improvement of water works (Int. No. 1113).....	1081, 1375, 1443, 1559, 1662
Ogdensburg, relative to provide for improvement of water works (Rec. No. 157).....	1484, 1698
Olean, charter of city, to revise (Rec. No. 2).....	131, 172
Olean, charter of city, to amend, relative to police justice (Rec. No. 414).....	3208, 3358, 3489, 3539
Oneida, to incorporate the city of (Int. No. 174)....	92, 395, 528
	788, 861, 1623, 1697, 1699, 1701, 1784, 1786, 2492, 2494
Oneida county, relative to board of equalization (Rec. No. 189)	1584, 2374, 2489, 2582
Oneida county, relative to make the office of sheriff salaried (Rec. No. 356).....	2750, 3009, 3123, 3185

	PAGE.
Oneida county, relative to enlarge the powers of the board of supervisors (Int. No. 660).....	386
Oneida county, relative to compensation of members of the board of supervisors (Int. No. 661).....	386
Oneida county, relative board of supervisors, powers of (Int. No. 472)	231, 590, 646, 666, 861, 931
O'Neill, Matthew, appointed page	62
Oneonta, charter of village, to amend, relative to assessment of taxes (Rec. No. 341).....	2748, 2907, 3024, 3112
Oneonta, charter of village, to amend, relative to collection of taxes (Int. No. 930).....	776
Oneonta, charter of village, to amend, relative to collection of taxes (Rec. No. 146).....	1324
Onondaga South Hollow Religious Society, relative to dispose of its real estate (Rec. No. 72).....	829, 1120, 1210, 1285
Onondaga county penitentiary, relative powers of superintendent and board of inspectors (Int. No. 996) ..	871, 1251, 1292 1299, 1328, 1411, 2148
Onondaga county, relative collection of taxes (Int. No. 1201) ..	1362
Onondaga county, relative to redemption of real estate sold for taxes (Int. No. 1569)....	2597, 2883, 2907, 3014, 3089, 3254
Onondaga county, relative to regulate toll charges by turnpike, plank road or toll road companies (Int. No. 1612) ..	2810 3264, 3313, 3379, 3454, 3796
Onondaga reservation, relative to compulsory education of Indian children (Int. No. 1083)....	1077, 1440, 1525, 1552, 1657 1763, 2211
Onondaga and Oswego counties, construction of plank road, relative to toll charges for automobiles (Int. No. 1507) ...	2279 2763, 2887, 3010, 3179, 3241

Onondaga and Oswego counties, construction of a plank road, relative to toll charges for automobiles (Rec. No. 355)	2750, 3167, 3244, 3291
Ontario county, relative to legalize certain deeds of conveyance arising out of tax sales (Int. No. 153).....	88, 189, 226, 819
Ontario and Seneca counties, relative to enumeration and boundaries (Int. No. 1010).....	960
Orange county, relative salary of county judge and surrogate (Rec. No. 462).....	3361, 3692, 3815, 3842
Orange county, relative improvement of public highways (Int. No. 857).....	654, 852, 944, 1001, 1016, 1050, 1360
Orange, Schuyler county, relative to pay Robert Bell money loaned to town (Int. No. 364)....	166, 277, 314, 333, 405, 443 954, 1172, 1211, 1213, 1700, 1817, 2017, 2084, 2499, 2805
Organization Aid Company, relative to incorporate (Int. No. 1242)	1421
Oswegatchie Agricultural Society, relative to file reports (Int. No. 138)	86
Oswego, relative to reappropriate money for repairing the armory (Int. No. 331).....	157, 295, 381, 402, 441, 492
Oswego, relative to raise money in addition to sum allowed by the charter (Int. No. 1339).....	1708, 1997, 2078, 2181, 2249 2501, 3069
Oswego county, relative to make the office of county clerk salaried (Int. No. 588).....	293
Oswego county, relative Phoenix free school district in town of Schoeppel (Int. No. 1055).....	1010, 1440, 1525, 1552, 1657 1762, 2500
Oxford, Woman's Relief Corps Home at, relative appropriation (Int. No. 891).....	739, 1426, 1526, 1552, 1655, 1759, 3137

Oyster Bay school district No. 9, relative to issue bonds (Int. No. 389)	170
Oyster Bay school district No. 9, relative to issue bonds (Rec. No. 104).....	1082, 1440, 1525, 1573

P.

Painted Post, relative to building dyke and deepening channel of Cohocton river in village (Int. No. 1003) ..	872, 3213 3276, 3325, 3482, 3491, 3569, 3596
Palisades, appropriation for commission (Rec. No. 456)	3563 3875, 3913, 3933
Palisades commission, relative appointment and powers of (Rec. No. 457).....	3563, 3692, 3815, 3840
Parsons, John, appointed assitant postmaster	62
Partnership Law, to amend, relative to limited partner- ships (Int. No. 1167).....	1289
Pasch, Charles, appointed assistant janitor.....	62
Patent and Copyright Protective Association, relative to incorporate (Int. No. 1296) ..	1585, 3158, 3243, 3267, 3317, 3490 3566, 3588, 3870
Pawnbrokers, to amend law, relative to (Int. No. 644)	366
Pawnbrokers, to amend law, relative to (Int. No. 136)	86
Peekskill, relative creating the office of police justice (Int. No. 6)	52, 190, 221, 247, 336, 377, 609, 621, 737, 770, 1005 1022, 1068
Peekskill, relative board of trustees to purchase a fire-alarm bell (Int. No. 1672).....	3258, 3568
Penal institutions, manufacture in, relative to (Int. No. 802) ..	580

Pension board, relative to grant pension to James E. Delehanty (Int. No. 1592).....	2754
Penitentiaries, relative to employment of watchmen, keepers and guards (Int. No. 1362).....	1794, 2078, 2184, 2220, 2386, 2471
Personal property, amend act relative associations loaning money on (Rec. No. 488).....	3696
Petitions:	
against bill, relative to saloons in city of Buffalo.....	323
against further taxation on life insurance companies and savings banks.....	367, 421, 521, 1136
against bill No. 119, known as the personal property listing bill.....	521
against bill taxing savings banks.....	616
against Senate bill No. 693, relative taxing savings banks	1621
against bill No. 301, relative to franchise tax on corporations	580
against repeal of the Davis School Law.....	2741
against bill reorganizing the State Board of Charities.....	1790
beneficial societies.....	4033
favoring bill for submission of the question of local option to election districts.....	1874
favoring repeal of law under which real estate mortgages are taxed.....	521
Petrie, Frank N., appointed financial clerk.....	62
Phelps, Myron A., appointed assistant doorkeeper	62
Piermont, dock in Hudson river at, relative removal of a portion (Int. No. 253).....	121

Piloting, to regulate, relative to fees (Int. No. 756).....	497
Plattsburg, to revise charter, relative to create commission for improvement (Int. No. 1316).....	1586
Plattsburg, to revise charter, relative to create a commis- sion of improvement (Rec. No. 322).....	2422, 2765, 2938 3180, 3240, 3250

Point of order, raised by:

Mr. McKeown, on bill to amend the Greater New York Charter, relative to municipal court.....	315, 316
Decision of Speaker. (See Speaker, decisions of.)	
Mr. McKeown, on bill to amend the Town Law.....	2141
Decision of Speaker. (See Speaker, decisions of.)	
Mr. McKeown, on three bills, relative to offices of register, sheriff and clerk of Kings county.....	2321, 2323
Decision of Speaker. (See Speaker, decisions of.)	
Mr. Hyman, on bill to amend the Penal Code, relative to kidnapping.....	2389
Decision of Speaker. (See Speaker, decisions of.)	
Mr. Allds, on bill to amend the Railroad Law, relative to street surface railroad corporations.....	2393, 2394
Decision of Speaker. (See Speaker, decisions of.)	
Mr. McKeown, on bill to regulate the practice of archi- tecture	2466
Decision of Speaker. (See Speaker, decisions of.)	
Mr. McKeown, on bill to amend general laws, relative to elections.....	2688
Decision of Speaker. (See Speaker, decisions of.)	
Mr. McKeown, on bill to amend the Insanity Law.....	2688
Decision of Speaker. (See Speaker, decisions of.)	

Point of order, raised by—Continued:

PAGE.

Mr. McKeown, on bill to amend charter of city of
Buffalo, relative to the office of mayor..... 3021

Decision of Speaker. (See Speaker, decisions of.)

Mr. Burnett, on bill relative to appropriation for
improvements of the canals..... 3220

Decision of Speaker. (See Speaker, decisions of.)

Mr. McKeown, on bill to regulate liability of employers
to employes.....3365, 3375

Decision of Speaker. (See Speaker, decisions of.)

Mr. Fitzgerald, Mr. McKeown, Mr. Geoghan, on bill
relative unpaid taxes, Erie county..... 3583

Decision of Speaker. (See Speaker, decisions of.)

Mr. McKeown, Mr. Coughtry, Mr. M. E. Lewis, on bill
to create board of public instruction in the city of
Albany 3801

Decision of Speaker. (See Speaker, decisions of.)

Mr. Fitzgerald, on bill, relative New York docks..... 4056

Decision of Speaker. (See Speaker, decisions of.)

Pollack, Henry, elected principal doorkeeper..... 15

Pomfret, relative to divide certain moneys belonging to the
town (Int. No. 466).....230, 432, 500, 596, 631, 1137

Pomfret, relative to union free school district, and election
of board of education (Int. No. 770).....499, 856, 1417

Portchester, to incorporate the village of (Int. No. 739).... 465
723, 752, 785, 1005, 1028, 1212

Portchester, to incorporate the village of (Rec. No. 110)... 1083

Porter, Hiram P., appointed committee clerk..... 63

Poor Law, to amend, relative to treatment of indigent
persons (Int. No. 603).....325, 913

Poor Law, to amend, relative to maintenance of State poor (Int. No. 429).....	187
Poor Law, to amend, relative to relief of soldiers, sailors and their families (Int. No. 145).....	87, 1874, 2139
Poughkeepsie, charter of city, to amend, relative to wards (Int. No. 683).....	413, 837, 1063, 1124, 1329, 1398, 1867, 2273
Prayer by Rev:	
Hallenbeck, Edwin Forrest..	7, 72, 84, 97, 128, 196, 250, 384
1006, 1139, 1361, 1582, 1927, 2348, 2673, 2746, 3484,	3875
Hinds, Herbert C.....	54, 3318
Clapp, J. Eaton.....	89
McKenzie, Charles.....	101, 3371
Greaves, H. R.....	117
Selden, Edward Griffin.....	136, 738
Whitaker, Wm. Force.....	153
Johnson, Edward P.....	162
Harwood, T. Carroll.....	184
Mears, David O.....	228
Morris, Frank Richard.....	260
Battershall, Walton W.....	286
Prall, William.....	323
Stewart, R. E.....	363
Pick, B.....	414
Furbeck, Geo. W.....	464
Lucas, Abner H.....	497
Giffen, John.....	522
Hegeman, A. Randolph B.....	579
Van Westenbergh, John.....	614
Johnson, A. T.....	654

Prayer by Rev.—Continued:

PAGE.

Seegers, J. C.....	773
Lawrence, John J.....	820
Curtin, Daniel F.....	867
Richmond, Charles Alexander.....	959
Spaeth, Ph.....	1035
Stevens, Edwin P.....	1077
Mordock, H. H.....	1214
Coit, Olin Burr.....	1288
Hardendorf, C. W.....	1322
McEwen, Henry T.....	1418
Hopper, A. Whittaker.....	1484
Love, Archibald L.....	1544
Brown, Edgar H.....	1629, 3693
Kane, Walter S.....	1704
Rutan, Frederick N.....	1790
Elder, J. S.....	1868
Boddy, James.....	1985
Smith, Arthur M.....	2051
Lyons, Rabbi Alexander.....	2214
Leggett, Lester.....	2274
Brown, J. S.....	2418
Charles, Elmer F.....	2503
Potter, Henry Sterling.....	2593
Paul, J. S.....	2808
Eaton, A. H.....	2897
Clymer, John F.....	3004
Dugan, George.....	3069
Coddington, J. P.....	3147
Karner, George N.....	3206

Prayer by Rev.—Continued:	PAGE.
Metzger, Frazer.....	3256
Olney, A. R.....	3561
Printing in penal institutions, to amend law relative to (Rec. No. 437).....	3258, 3360, 3488, 3532
Prison Law, to amend, relative to sale of prison-made goods (Int. No. 922).....	775
Prisons and penitentiaries, relative to commutation of sen- tences for good behavior of convicts (Int. No. 1615).....	2810, 3009 3125, 3176, 3357, 3380, 3486, 3509, 3871
Privileges of the floor granted to:	
Bulkley, Hon. Frank.....	55
Snyder, Hon. Thomas.....	55
Guider, Hon. Joseph A.....	183
Palmer, Hon. Geo. M.....	367
Mazet, Hon. Robert.....	391
Lake, Hon. Henry C.....	421
McClelland, Hon. Chas. P.....	421
Rhodes, Hon. Bradford.....	421
Travers, Hon. Mr.....	579
Sickles, General Daniel E.....	579
Brennan, Hon. J. F.....	579
Howland, Judge.....	579
Kent, Hon. J. Harry.....	579
Cornell, Ex-Governor	616
Weed, Geo. S.....	616
Fallows, Hon. Edward H.....	739
Dillon, Hon. Charles P.....	773
Gale, Hon. Cyrus B.....	820
Writner, Hon. Frederick L.....	820

Privileges of the floor granted to—Continued:

PAGE.

Wissel, Hon. Chas. C.....	873
Witter, Hon. Daniel P.....	873
Brown, Hon. Chas. W.....	873
Linson, Hon. J. J.....	1007
Yates, Hon. A. A.....	1069
Clemens, Hon. Samuel L.....	1139
Bulwell, Hon. Geo. R.....	1418
O'Connell, Hon. Nicholas R.....	1621
Platt, Hon. John I.....	1621
Fiero, Judge.....	1703
Lyon, Hon. Robert T.....	1790
Farrell, Hon. Thomas.....	2084
Fromme, Isaac	2807
Cromwell, George.....	2807
O'Connor, Hon. Nicholas.....	3244
Enz, Hon. Frank J.....	3470
members Royal Arcanum.....	4034

Property owners liable to be assessed for local improvement,

relative to review assessments (Rec. No. 282) ..	2151, 3217, 3282
	3557, 3698, 3723

Pruyn, Robert C., nominated for the office of Regent of the

University	578
------------------	-----

Pruyn, Robert C., elected Regent of the University....

598, 600

Public accountants, to regulate the profession, relative to

exemption from examination (Int. No. 386) ..	169, 424, 575, 593
	627, 731, 820, 1033

Public buildings and schoolhouses, relative to proper venti-

lation (Int. No. 1295).....	1585
-----------------------------	------

Public dancing in certain counties, relative to regulate (Int.

No. 1513) . . . 2348, 2816, 2940, 3010, 3179, 3271, 3317, 3486, 3507

Public Health Law, to amend, relative to:

adulterations of food (Int. No. 1583) . . . 2675, 3071, 3275, 3313
3575

admission to examinations for license to practice veterinary medicine (Int. No. 1210) 1363

application of the article regulating pharmacy (Int. No. 536) 266, 1546, 1833, 1882, 2182, 2244, 4116, 4136

appointment of a special committee to investigate disease of tuberculosis (Int. No. 88) 78

appointment of a chief inspector of plumbing and drainage in certain cities (Int. No. 754) . . . 467, 497, 1118, 1167
1169, 1204, 1278

cadavers in certain counties (Int. No. 493) 253

cadavers in certain counties (Rec. No. 193) . . 1629, 2077, 2186
2267, 3130

creating a State department of health and abolishing the State Board (Int. No. 299) . . 141, 423, 483, 528, 669, 762

creating a State department of health and abolishing the State Board (Rec. No. 45) 743

drugs, chemicals and other substances, to prevent deception in sale (Int. No. 955) . . 824, 2884, 3023, 3074, 3228
3286, 3475, 3568, 3594

local boards of health (Int. No. 456) . . 229, 920, 969, 1012, 1265
1312

local boards of health (Rec. No. 140) 1217, 3480, 3617

manufacture and sale of beer, ale and porter (Int. No. 155) 88, 116

Public Health Law, to amend, relative to—Continued:	PAGE.
manufacture and sale of cigarettes (Int. No. 89).....	78
mesmerism, suggestive therapeutics and allied phenomena (Int. No. 1345).....	1792, 3075, 3181, 3247
osteopathy, regulating practice of, and fixing penalties for violation (Int. No. 684).....	414, 1736
pharmacy (Int. No. 790).....	524
pharmacy (Int. No. 1000).....	872
pharmacies and drug stores, registration of (Rec. No. 158).....	1484, 3690, 3814, 3816
pharmacy, to repeal certain sections in regard to examination of apprentices (Int. No. 1361).....	1794
practice of dentistry (Int. No. 415).....	185
practice of dentistry and to dental societies (Int. No. 881).....	658, 1118, 1353, 1551, 1927, 1962, 2413
practice of pharmacy in State institutions (Rec. No. 260)	3480
	3573, 3616
practice of massage, mechano, hydro and electro therapy (Int. No. 266).....	129
practice of medicine (Int. No. 167).....	91, 993, 1381, 1735, 1972
	2289, 2498, 2794
practice of veterinary medicine (Int. No. 796).....	525, 992, 1643
	1768, 1822, 2022, 2095
practice of veterinary medicine (Int. No. 333).....	158, 1118
	1353, 1512, 1657, 1743, 2500
practice of veterinary medicine and surgery (Int. No. 1603).....	2808, 3222, 3266, 3328, 3357, 3486, 3510
preventing the spreading of diseases through use of old bottles, rags, etc. (Int. No. 474).....	231, 1381, 1736, 1840, 1888
	1931, 2080, 2206, 2242, 2318, 2660, 2797, 3062

Public Health Law, to amend, relative to—Continued:	PAGE.
Public Health Law, amend, examination certain medical studies (Rec. No. 480).....	3693, 3695, 3815, 3844
Public Health Law, relative practice of hypnotism and mesmerism (Rec. No. 475).....	3694
Public Health Law, relative examination for license of veterinary (Rec. No. 487).....	3696, 3815, 3846
regents to admit to examination in certain medical studies (Int. No. 1626).....	2899, 3071, 3175, 3380
registration of students in dentistry (Int. No. 83).....	77
tenement houses (Int. No. 1432).....	1993, 2358, 2484, 2808
tobacco cigarettes with paper wrappers, to regulate the sale (Int. No. 199).....	99
type, use of, in publication of books, newspapers or serial literature (Int. No. 615).....	327, 920, 1736, 1835, 1889 2234
Public instruction, relative to revise, amend and consolidate (Int. No. 1527).....	2419, 3168, 3242, 3279, 3796
Public instruction, to amend law, relative to school teachers (Int. No. 1604).....	2809, 3167, 3242, 3266, 3358, 3489, 3490, 3590
Public Lands Law, to amend and incorporate other statutes, relative to public lands (Int. No. 1270).....	1488
Public officers, relative to confirm the acts of certain notary publics (Int. No. 1554).....	2507, 2758, 2889, 2908, 3015, 3106, 3797
Public lands, to amend general laws, relative to mining (Int. No. 382).....	169, 423, 575, 594, 749, 802, 2894, 3145
Pythian Home, to incorporate, relative to disposition of the fund (Int. No. 1192).....	1327, 2008, 2222, 2561, 2613, 2894, 3059 3061, 3132, 3315, 3327, 3379, 3451, 3548

Q.

PAGE.

Quarantine station, relative appropriation for maintenance and repairs (Int. No. 314).....	155, 622, 817, 858, 926,	974
Quarantine station, relative appropriation for maintenance and repairs (Rec. No. 159).....	1484, 1709, 1843,	1921
Quarantine stations at Hoffman and Swinburne islands, relative appropriation (Int. No. 1451)..	2054, 2675, 2782, 2885	
	3015, 3098,	3796
Queensbury, relative to construct a bridge across the Glens Falls feeder, in the town of (Int. No. 656)..	386, 1147, 1268, 1292	
	1392, 1469, 3145, 3474, 3544,	3546
Question of privilege raised by Mr. Sullivan.....		108

R.

Railroads:

automatic couplers on freight cars, relative to equipment (Int. No. 1425)....	1993, 2434, 2566, 2604, 2680, 2885	
	3032,	3120
Binghamton Railroad Co., relative agreement with village of Lestershire (Int. No. 726)..	420, 624, 663, 748,	800
	954, 1134, 1135, 1136, 1782, 2024, 2085,	2499
Brooklyn street railways, relative to use cars with vestibuled platforms (Int. No. 64).....		73
Catskill Mountains Railroad, relative rates of fare (Int. No. 668)	387,	956
certificates of extension, to amend law, relative to (Int. No. 572)	291, 1152, 1297, 1697, 2074, 2234, 2281,	2385
	2475, 2801, 3179, 3234,	3797

Railroads—Continued:

PAGE.

consents and percentages, to amend law, relative to (Rec. No. 435)	3258, 3480, 3573, 3614
corporate existence, to amend law, relative to for- feiture (Int. No. 939).....	822
corporate existence, to amend law, relative to for- feiture (Rec. No. 398).....	3156, 3480, 3573, 3613
corporations for lighting, heating or power purposes, relative jurisdiction of Railroad Commissioners (Int. No. 542)	267, 428
crossing bridges to depots, to amend law, relative to (Int. No. 546).....	287, 1153, 1297, 1701, 1776, 3255
electric light and power corporations, to amend law, relative to powers (Rec. No. 331)....	2506, 3479, 3572, 3622
electric and cable cars, relative to employment of an additional motorman on (Int. No. 747).....	466
elevated railroad, Kings county, relative to provide con- veniences for passengers (Int. No. 838).....	618
elevated railroads, to amend law, relative to turnstiles (Int. No. 236)	118
elevated railroads, relative to provide for better security of passengers (Int. No. 552)	288
employes on street railroads, relative to protection (Int. No. 1457).....	2055
employes of street railroads, to amend law, relative to protection (Int. No. 68)....	74, 1733, 1975, 2010, 2182, 2258
extension of time to construct road, to amend law, rela- tive to (Int. 755).....	497
extension of time for construction, to amend law, rela- tive to (Int. No. 964).....	825, 1152, 1354, 1388, 1593, 1694 3644, 3795

Railroads—Continued:

PAGE.

Fallsburgh, Monticello and White Lake Railroad Co., relative extension of time for completion (Int. No. 1459)	2151, 2448, 2692, 2768, 2909, 3033, 3269, 3315 3380, 3460
fare on railroads in cities of 1,500,000, relative to regu- late the rates (Int. No. 1075)	1038, 1441, 1523
Fayetteville and Syracuse plank road, amend act, rela- tive automobiles (Rec. No. 460)	3563
general laws, to amend, relative to signals or inter- locking appliances at crossings (Rec. No. 205)	1791
grade crossings, to amend law, relative to (Int. No. 977)	869, 1974, 2269, 2780, 3010, 3179, 3235
grade crossings, to amend law, relative to (Int. No. 828)	617
grade crossings, to amend law, relative to (Int. No. 915)	774, 2440
grade crossings, relative to obstruction (Int. No. 352) . .	165
Larchmont Horse Railway Co., relative to discontinue use of tracks in part of Larchmont avenue (Int. No. 717)	419, 623, 727, 746, 860, 938
Little Falls, Van Hornesville and Otsego Lake Railroad Co., relative to extend time (Int. No. 373)	168, 623, 727 746, 860, 936, 1702, 2270
Long Island Railroad Co., relative to operate rapid transit trains at certain times (Int. No. 863)	655, 1731
municipal consents to railroad corporations, other than street surface or elevated (Int. No. 1614)	2810
Panama Railroad Co., relative to assign credit (Int. No. 1007)	959, 1727, 1833, 2073, 2234

Railroads—Continued:

PAGE.

passenger trains leasing bridges across salt water streams, relative to operation (Int. No. 95).....	79
protection of certain employes of street railroads, to amend law, relative to (Int. No. 548).....	287
Railroad Law, to amend, relative to tickets (Int. No. 1036)	963, 2879, 2940, 3180, 3466, 3872
railroads in cities of the first class, relative reduced fares for school children (Int. No. 423).....	186, 1732
railway in street where other road is built, relative to construction (Int. No. 1234) ..	1420, 1732, 2071, 2325, 2393
	2450, 2687, 2909, 3229, 3284
report of officers, relative percentage of gross receipts (Int. No. 1396).....	1873
signboards at highway crossings, to amend law, relative to (Int. No. 1288).....	1544
signboards at highway crossings, to amend law, relative to (Int. No. 1310).....	1631, 2073, 2235, 2287, 2561, 2621
signboards at highway crossings, to amend law, relative to (Rec. No. 284).....	2151, 2439, 2567, 2605, 2733, 2779
Stillwater and Mechanicville Street Railway, relative to abandon portion of its route (Int. No. 784) ..	523, 1441
	1524, 1552, 1655, 1761
street surface corporations, relative to acquisition of property (Int. No. 1575) ..	2673, 3222, 3277, 3315, 3377, 3439
	3796
street railway corporations, relative to issue of tickets in cases of stoppage or blockade (Int. No. 351).....	165
street railroad, between Albany and Watervliet, relative to regulate the fare (Int. No. 1263).....	1487

Railroads—Continued:

PAGE.

street surface railroads in counties of Herkimer and Hamilton, relative to motive power (Rec. No. 283) ..	2151
	3359, 3489, 3537
street cars and surface railroads, traffic upon, to regulate (Int. No. 1458)	2055
street and elevated railroads, relative to prevent discrimination against persons carrying receptacles for tools (Int. No. 235)	118, 2072, 2324
street surface railroad, relative abandonment of part of route (Int. No. 823)	583, 1732
street surface railroad corporations, relative to acquiring real estate (Int. No. 676)	388, 623, 728, 749
street surface railroads, to amend law, relative to general provisions (Int. No. 985)	870, 1152, 1298
street surface railroads, relative to time of construction after franchise is granted (Int. No. 1024)	962
street surface roads, relative to use of tracks by other roads (Int. No. 1538)	2420
street surface railroads, to amend law, relative to protection of employes (Rec. No. 333)	2506
street surface railroad corporations, relative to acquisition of property (Int. No. 1331)	1707, 2072, 2325, 2393
	2449, 2687, 3010, 3178
street surface railroads, relative payment of a percentage of gross receipts due city or village (Int. No. 1304)	1630, 2073, 2235, 2282, 2452, 2793, 4135
street surface transit in cities, towns and villages, relative improvement (Int. No. 734)	464
street surface and steam railways in cities of first class, relative to regulate the fare (Int. No. 308)	154

Railroads—Continued:	PAGE.
street railroads, to amend law, relative to protection of certain employes (Int. No. 1152).....	1215
street railroads, city of New York, relative to protection of certain employes (Int. No. 1105).....	1080, 2083
street railroads, relative to protection of certain employes (Int. No. 1338).....	1708
street railroads, to amend law, relative to certain employes (Int. No. 1005).....	873
street railroad fares in certain cities, to regulate, and provide for transfers (Int. No. 909).....	742
street railways, relative transportation of scholars of public schools (Int. No. 180).....	93, 299
Upper Hudson Railroad Company, relative to extend time to begin construction (Int. No. 1509).....	2280
Upper Hudson Railroad Company, relative extension of time (Rec. No. 458).....	3563, 3692, 3815, 3838
Ramapo Water Company, to repeal acts, relative to (Int. No. 9).....	53, 1508, 1512, 1520, 1611, 1865
Ramapo Water Company, relative to limit and define its powers (Int. No. 983).....	869
Ramapo Water Company, relative to limit and define its powers (Rec. No. 142).....	1323
Real Property Law, to amend, relative acknowledgment of conveyances (Int. No. 37).....	67
Real Property Law, to amend, relative to form of acknowledgments and proofs in foreign countries (Int. No. 1335). 2064, 2184, 2220, 2563, 2619, 3796	1707
Real Property Law, to amend, relative to acknowledgment of conveyances (Rec. No. 41).....	583, 1100, 1208

Real property of religious, charitable and educational associations, relative to exempt from taxation (Int. No. 467) ..	230
Real Property Law, to amend, relative to the descent of real property (Int. No. 637) . .365, 1101, 1352, 1388, 1593, 1693, 1790	
2147, 2268, 3189, 3273, 3313, 3380, 3461, 3686	
Real Property Law, to amend, relative husband's interest in property of a wife dying intestate (Int. No. 907)	742
Real Property Law, to amend, relative to investments by trustees and others (Int. No. 961) . .825, 1367, 1474, 1517, 1656	
1749, 1979	
Real property exempt from taxation, relative publication of lists annually (Rec. No. 420)	3209
Real property exempt from taxation, relative publication of lists annually (Int. No. 787)524, 916, 1065, 1120, 1169, 1304	
Real estate, relative to old charges, embracing taxes and assessments levied more than twenty years (Int. No. 730) .	461
917, 966, 1017, 1734, 1822, 1886, 1939	
Real Property Law, to amend, relative to investments by trustees (Rec. No. 198)	1705
Regents, relative to admit physicians to practice (Int. No. 416)	185
Reitford, Harry, appointed page	62
Religious Corporation Law, to amend, relative sales, mortgages, etc. (Int. No. 1112)1081, 1382, 1475, 2343, 2345	
Religious camp meetings, relative to prevent disturbance (Int. No. 425)	186
Rensselaer, to amend charter of city, relative to annexation (Rec. No. 73)829, 1092, 1210, 1283, 1399, 2404	

Rensselaer county, relative to regulate proceedings of board of supervisors (Int. No. 758).....	497, 852, 945, 1003, 1131 1187, 1702
Rensselaer, relative to payment and assessment certain local improvements (Rec. No. 454).....	3563
Rensselaer, relative to payment and assessment of cost of certain local improvements (Int. No. 1632)....	3005, 3261, 3313 3326, 3379, 3453, 3800
Rensselaer county, relative newspaper advertisements (Int. No. 1664)	3158
Rensselaer county, relative to regulate newspaper adver- tisements (Int. No. 1490).....	2277
Rensselaer county, relative to make the office of sheriff salaried (Int. No. 759).....	497
Report of:	
Adjutant-General	72
American Society for the Prevention of Cruelty to to Animals	1007
American Scenic and Historic Preservation Society....	3875
Assembly Committee on Soldiers and Sailors' Home..	2443
Attorney-General	250
Berkshire Industrial Farm.....	197
Board of Managers of Western House of Refuge for Women	228
Board of Mediation and Arbitration	228
Board of Managers, House of Refuge for Women.....	614
Board of Managers of the Rome State Custodial Asylum	196
Brooklyn Society for the Prevention of Cruelty to Children	101

Report of—Continued:

PAGE.

Bureau of Labor Statistics	137
Central New York Institute for Deaf-Mutes, at Rome..	90
Children's Aid Society	101
Comptroller, relating to the canal.....	739
Comptroller, of expenditures on canals, 1901.....	4034
Commissioner of Agriculture	101
Commissioners of the State Reservation at Niagara....	1790
Commissioner of Pilots.....	72
Commissioners of Quarantine	286
Committee on Privileges and Elections, Contest Cohn vs. Adler	3888
Conrad Poppenhausen	1361
Cooper Union	197
Elmira Reformatory	84
Embalming Examiners	1361
Episcopal Fund of the Diocese of Long Island.....	391
Factory Inspector	228
Forest, Fish and Game Commission.....	137
Le Couteulx St. Mary's Institution for Deaf-Mutes....	3875
Life Saving Corps	89
Manager of the New York Institute for the Blind....	73
Managers of the Society for the Reformation of Juvenile Delinquents in city of New York.....	228
Mohawk and Hudson River Humane Society.....	3794
New York Society for the Prevention of Cruelty to Children	117
New York College of Forestry	137
New York Institute for the Blind.....	72
New York Institute for the Instruction of the Deaf and Dumb	89

Report of—Continued:	PAGE.
New York Juvenile Asylum	3816
New York State Pathological Laboratory of the University of Buffalo	3331
New York Catholic Protectory	1006
New York State Soldiers and Sailors' Home.....	158
New York State Veterinary College	197
Northern New York Institution for Deaf-Mutes.....	1874
Palisades Interstate Park Commission.....	228
Secretary of State on Statistics of Crime.....	2807
Special Committee on Adirondack Lands.....	3876
Society for Protection of Destitute Roman Catholic Children, at Buffalo	739
statement of pardons, commutations and respites granted by Theodore Roosevelt during the year 1900.	117
State Board of Health.....	773
State Civil Service Commission.....	1139
State Comptroller	72
State Custodial Asylum for Feeble-Minded Women...	128
State Engineer and Surveyor.....	73
State Engineer and Surveyor, on Volume of Streams..	72
State Superintendent of Elections, Metropolitan District	390
State Historian	3875
State Hospital for Treatment of Incipient Pulmonary Tuberculosis	286
State Inspector of Gas Meters.....	72
State Commission in Lunacy.....	421
State Board of Pharmacy.....	72

Report of—Continued:

PAGE.

State Superintendent of the Department of Public Instruction	3331
State Racing Commission	4033
Superintendent of Banks	51
Superintendent of Banks	1035
Superintendent of Banks	1214
Superintendent of New York State School for the Blind at Batavia	73
Superintendent of Insurance	2084
Superintendent of the Onondaga Salt Springs	90
Superintendent of Public Buildings	85
Superintendent of Public Works	137
Special Committee on Statutory Revision bills	3875
St. Joseph's Institute for the Improved Instruction of Deaf-Mutes, Brooklyn	90
Syracuse State Institution for Feeble-Minded Children	72
Tenement House Commission	739
Tenement House Commission	1007
Trustees of Webb's Academy and Home for Ship-builders	85
Wadsworth Library	286
Woman's Relief Corps Home	72
Wyoming Benevolent Institute	72

Resolutions:

adjournment to January 9, 1901	18, 51
adjourn out of respect to the memory of Queen Victoria	183
adjourn out of respect to the memory of Abraham Lincoln	579

Resolutions—Continued:	PAGE.
adjourn out of respect to the memory of the late Wm. M. Evarts.....	1321
adjourn out of respect to the memory of Hon. Amos K. Hadley	1483
adjourn out of respect to the memory of the Hon. Wm. H. Wilson	2502
adjournment without date.....	3205, 3311
Aguinaldo, relative to capture of, by General Fred Funston	2659
appointment of a committee on congressional appor- tionment	1169, 1170
Attorney-General to furnish an opinion, relative to members of the Legislature.....	738, 1034, 2226
chairman of Committee on Codes, to purchase latest edition of statutes and codes.....	95
Civil Service Law, to condemn as un-American and against the best interests of our State.....	341
Clerk of Assembly, directed to have all committee notices posted on bulletins.....	96
Clerk of Assembly, to furnish Committees on Judiciary, General Laws and Taxation and Retrenchment, with copies of the General Statutes and Tax Law.....	342
Clerk of Assembly, to purchase a set of Birdseye's Revised Statutes, and a set of Session Laws of 1898, 1899 and 1900 for use of Ways and Means Committee	481
Clerk of Assembly to purchase 12 copies of the Code of Civil Procedure for the use of the Committee on Judiciary	955

Resolutions—Continued:

PAGE.

Clerk of Assembly to purchase 150 additional file boards	1069
Clerk of Assembly revise indices of session laws.....	4128
Commissioner of Excise to furnish list of liquor tax holders	739, 1034
committee to wait upon the Governor.....	16, 4133, 4144
committee to wait upon the Senate.....	16, 597, 4134, 4144
Committee on Privileges and Elections, to investigate the contest of election, Mr. Cohn vs. Mr. Adler..	136, 248
Committee on Soldiers' and Sailors' Home be directed to visit the Home at Bath, N. Y.....	462
committee to be appointed to consider bills prepared by Statutory Revision Commission.....	773, 959, 1540
committee appointed to attend the funeral of Hon. Wm. H. Wilson.....	2503
Comptroller to report the sums of money paid to various public institutions.....	142
district attorney, Asa Bird Gardiner, relative expenses of investigation office of.....	520
election of State Superintendent of Public Instruction in place of Charles R. Skinner.....	520
election of United States Senators, from the legislature, State of Minnesota.....	820
election of United States Senator, from the legislature, State of Montana.....	1322
elections of United States Senators, from the legislature, State of Oregon.....	614
extension of time for introduction of bills and committees to report.....	2659

Resolutions—Continued:	PAGE.
Forest Preserve, appoint committee to investigate....	4128
Governor's Island, relative to urge the federal govern- ment to deed to New York city.....249,	459
Governor's suggestion in annual message, relative to Excise Commissioner.....101,	282
Greater New York, relative to reduce the price of gas343,	521
Harrison, General Benjamin, relative to illness.....	1697
Harrison, General Benjamin, relative to death.....	1789
investigating committee, relative to statement of Mr. Alexander Selkirk.....	1034
Lawrence, A. D., directed to remain 30 days after adjournment 4131	
Legislative Statement prepared by Robert H. Whitten, Ph.D. to be printed and placed on files.....	336
library, Assembly, to be kept open all the year.....	4131
nomination of a Regent of the University in place of Hon. Hamilton Harris, deceased.....520,	576
of thanks to Speaker Nixon.....	4145
print 2,000 additional copies of Senate bill No. 772, relative to amend the Election Law.....	1483
print 300 additional copies of all general Assembly bills384,	434
print 800 extra copies of report of House of Refuge for Women at Hudson.....	3205
print 3,000 copies of the Governor's message in Ger- man, for use of the Legislature.....2049,	2740
print 5,000 copies of the veto message of mayor of New York city, on police bill.....	830

Resolutions—Continued:

PAGE.

print 2,500 additional copies of Assembly bill, No. 759, relative to osteopathy.....	830, 1171
print 1,000 extra copies of report of Superintendent of Public Buildings.....	384, 435
print 1,500 additional copies of Assembly bill, No. 1247, relative to public health.....	1069, 1170
print 1,000 additional copies of Assembly bill, No. 301, relative taxation of certain corporations.....	250, 301
print 1,500 additional copies of Assembly bill, No. 477, relative taxation of bank shares.....	250, 301
Quarantine station, investigate.....	4126
sergeant-at-arms, relative duties during recess.....	4131
Speaker's stenographer remain 20 days after adjourn- ment	4130
Statutory Revision Commission, relative to employ a stenographer.....	1540
United States Senator Platt, relative to death of his wife	613

Resolutions, concurrent:

adjourn out of respect to the memory of Hon. Cornelius R. Parsons.....	322
adjournment without date.....	3205, 3311
joint committee to prepare bill amending Constitution, relative to removal by Governor.....	94, 141
joint session for election of a Superintendent of Public Instruction and a Regent of the University.....	463
judiciary committee of the Senate to examine into the affairs of the Union Bridge Company.....	661, 957, 1084

Resolutions, concurrent—Continued:

PAGE.

oleomargarine, relative to bill before the United States Senate	248,	830
proposing amendment to the Constitution, relative to disposition of the canals (Int. No. 50).....		69
proposing amendment to the Constitution, relative to canals (Int. No. 7).....	53,	73
proposing amendment to the Constitution, relative to civil service appointments and promotions (Rec. No. 304)		2276
proposing amendment to the Constitution, relative to civil service (Int. No. 871).....		656
proposing amendment to the Constitution, relative to civil service appointments and promotions (Int. No. 1460)		2151
proposing amendment to the Constitution, relative to civil service appointments and promotions (Int. No. 1181)		1326
proposing amendment to the Constitution, relative to the forest preserve (Int. No. 680).....	389, 921, 969,	1018
proposing amendment to the Constitution, relative to limitation of indebtedness (Rec. No. 129) ..	1146, 1634,	1775
proposing amendment to the Constitution, relative to sickness of jurors (Int. No. 583).....		292
proposing amendment to the Constitution, relative additional justices Supreme Court (Rec. No. 478) ..	3695,	3912
		3918
proposing amendment to the Constitution, relative to legislative powers (Int. No. 311).....		154

Resolutions, concurrent—Continued:

PAGE.

proposing amendment to the Constitution, relative to terms of office of member of Assembly (Int. No. 221).	104
584, 650, 662, 747, 816,	864
proposing amendment to the Constitution, relative to loans of money or credit; limitation of indebtedness (Int. No. 310).....	154, 275, 381, 461, 628
proposing amendment to the Constitution, relative to exemptions of real and personal property from taxa- tion (Int. No. 843) ..	619, 1152, 1270, 1294, 1444, 1527, 1576
	1658, 4031
Shaw, Col. Albert D., relative to death of.....	578
Temple Farm, Virginia, relative to bill before Con- gress	249, 344, 406
Revised Statutes, to repeal, relative to Lewiston school fund (Int. No. 488).....	252, 625, 728, 746, 860, 937, 1360
Revised Statutes, to amend, relative to parole of prisoners (Rec. No. 309).....	2276, 2449, 2568, 2731
Rexford Flats, relative bridge over Erie canal west of Upper Mohawk aqueduct (Int. No. 1298).....	1585
Richardson, Arthur L., appointed clerk to committee on vil- lages	63
Richmond county, relative to assessments (Int. No. 1474) ..	2216
	3166
Richmond county, relative to appropriation for building known as the Billop House (Int. No. 1544).....	2421, 2812
Richmond county, relative to authorize clerk to procure map of Colonial grants of land (Int. No. 1650).....	3070
Richmond county, relative to compensation of the steno- grapher of county court (Int. No. 640)....	366, 1113, 1208, 1254
	1296, 1340, 1702, 2270

Richmondville, relative to change the name of the United Evangelical Lutheran Church (Int. No. 179)	93, 123, 133, 134 150, 162
Rochester:	
aldermen, relative to provide for payment of salaries (Int. No. 1018)	961, 1090, 1202, 1254, 1295, 1338
Ames street, relative assessments for paving (Int. No. 712)	418, 1726, 1840, 1880, 2022
Ames street, relative to assessments for paving (Rec. No. 225)	1986, 2114
appropriation for local assessments against State prop- erty, to provide for payment (Int. No. 1647)	3070, 3558 3565, 3891, 3898, 4138
bridge over the Erie canal at Culver road, relative to construction (Int. No. 1093)	1078
bridge over the Erie canal on Plymouth avenue, relative to construction (Int. No. 417)	186
bridge over Erie canal at Plymouth avenue, relative to construction (Rec. No. 402)	3207, 3914, 3998
Caledonia avenue, relative assessment for paving (Int. No. 515)	262, 1728, 1834, 1878, 2022
Caledonia avenue, relative to assessments for paving (Rec. No. 223)	1986, 2130
Central avenue, relative assessment for paving (Int. No. 514)	262, 1728, 1834, 1877, 2017
Central avenue, relative assessment for paving (Int. No. 526)	264, 1730, 1839, 1877, 2017
Central avenue, relative to assessments for paving (Rec. No. 206)	1791, 2001, 2123

Rochester—Continued:

PAGE.

Central avenue, relative to assessments for paving (Rec. No. 220).....	1985, 2131
city of, relative to contract with street railway company for paving streets (Int. No. 1679)...	3319, 3373, 3554, 3697 3702, 3868
charter of city, to amend, relative board of education (Int. No. 1017)....	961, 1090, 1202, 1256, 1393, 1459, 4138
charter of city, to amend, relative to board of education (Int. No. 645).....	366
charter of city, to amend, relative to board of education (Int. No. 309).....	154
charter of city, to amend, relative board of education (Rec. No. 92).....	1007, 1085
charter of city, to amend, relative to extend boundaries (Int. No. 1438)....	1994, 2358, 2483, 2556, 2686, 2791, 3251
charter of city, to amend, relative to expenses incident to improvements (Int. No. 1648)...	3070, 3262, 3321, 3376 3432, 3555, 3697, 3825, 4138
charter of city, to amend, relative expenses of improvement, how paid, assessments, etc. (Int. No. 260)...	122, 175 193, 219, 259, 305, 1415, 1542, 2273
charter of city, to amend, relative to unpaid taxes and local assessments (Int. No. 1646)...	3070, 3262, 3316, 3320 3377, 3434
charter of city, to amend, relative to municipal court (Int. No. 1406)....	1928, 2155, 2236, 2286, 2560, 2621, 3685
Clarissa street, relative assessment for paving (Int. No. 512).....	261, 1727, 1835, 1880, 2018
Clarissa street, relative to assessment for paving (Rec. No. 224).....	1986, 2134

Rochester—Continued:

PAGE.

Clinton avenue, north, relative assessment for paving (Int. No. 527).....	265, 1730, 1839, 1879, 2019
Clinton avenue, relative assessment for paving (Int. No. 529).....	265, 1731, 1838, 1876, 2020
Clinton avenue, relative assessment for paving (Int. No. 530).....	265, 1724, 1838, 1877, 2018
Clinton avenue, north, relative assessment for paving (Int. No. 698).....	416, 1725, 1836, 1881, 2021
Clinton avenue, relative to assessments for paving (Rec. No. 244).....	1989, 2117
Clinton avenue, relative to assessments for paving (Rec. No. 246).....	1989, 2121
Clinton avenue, relative to assessments for paving (Rec. No. 249).....	1990, 2141
Clinton avenue, relative to assessments for paving (Rec. No. 250).....	1990, 2119
commissiонер of public safety, relative to hear charges against Thomas F. Drury (Int. No. 1212).....	1364
commissiонер of public safety, relative to hear charges against John M. Durkin (Int. No. 1258).....	1486
commissiонер of public safety, relative to rehear and determine charges against Nicholas P. Oldfield (Int. No. 134).....	85, 1089, 1202, 1254, 1295, 1337, 3145, 3552
common council to cause to be issued, bonds credited to building fund of the board of education (Int. No. 646)	366, 585, 817, 858, 926, 976, 1069, 1581
Dewey avenue, relative assessment for paving (Int. No. 516)	262, 1729, 1833, 1878, 2018

Rochester—Continued:

PAGE.

Dewey avenue, relative to assessment for paving (Rec. No. 226)	1987, 2128
Elm street, relative assessment for paving (Int. No. 531)	266, 1724, 1837, 1876, 2019
Elm street, relative to assessments for paving (Rec No. 253)	1991, 2116
Emerson street, west, relative assessment for paving (Int. No. 511).....	261, 1727, 1835, 1880, 2020
Emerson street, east, relative assessment for paving (Int. No. 513).....	262, 1728, 1834, 1880, 2020
Emerson street, relative to assessments for paving (Rec. No. 219)	1985, 2136
Emerson street, relative to assessments for paving (Rec. No. 227)	1987, 2133
fire department, relative to establish a pension fund (Int. No. 867).....	656, 839, 943, 1004, 1131, 1191
fire department, relative to establish a pension fund (Rec. No. 143).....	1324, 2001, 2141, 2209
Hudson avenue, relative assessments for paving (Int. No. 700)	416, 1725, 1836, 1881, 2020
Hudson avenue, relative to assessments for paving (Rec. No. 248)	1990, 2110
Jay street, relative assessments for paving (Int. No. 710)	418, 1726, 1841, 1876, 2020
Jay street, relative to assessments for paving (Rec. No. 222)	1986, 2112
Jefferson avenue, relative assessments for paving (Int. No. 711)	418, 1726, 1841, 1878, 2018

Rochester—Continued:

PAGE.

Jefferson avenue, relative to assessments for paving (Rec. No. 221).....	1985, 2113
Joseph avenue, relative assessments for paving (Int. No. 699)	416, 1725, 1836, 1879, 2021
Joseph avenue, relative to assessments for paving (Rec. No. 207)	1791, 2001, 2143
Main street, east, relative assessment for paving (Int. No. 524).....	264, 1729, 1840, 1877, 2017
Main street, relative to assessment for paving (Rec. No. 245)	1989, 2126
Markey, Jacob, relative to confirm appointment as mem- ber of police force (Int. No. 482) ..	251, 394, 456, 478, 505 537, 1138, 1581
Monroe avenue, relative assessment for paving (Int. No. 523).....	264, 1729, 1840, 1876, 2022
Monroe avenue, relative assessment for paving (Int. No. 525).....	264, 1730, 1839, 1878, 2022
Monroe avenue, relative to assessments for paving (Rec. No. 247).....	1989, 2124
Monroe avenue, relative to assessments for paving (Rec. No. 251)	1990, 2127
North street, relative assessment for paving (Int. No. 528).....	265, 1731, 1838, 1879, 2019
North street, relative to assessments for paving (Rec. No 252) ,	1991, 2120
police pension fund for city of, to establish (Int. No. 634).....	365, 475, 507, 530, 669, 765, 1005, 1024, 2211
police pension fund, relative to establish (Int. No. 1259).....	1487, 1637, 1769, 1826, 2022, 2100, 3198, 3552

Rochester—Continued:

PAGE.

police pension fund, relative to establish (Rec. No. 471). 3483
3694, 3698, 3728

Portland avenue, relative to assessments for paving
(Int. No. 1358)....1794, 2002, 2140, 2219, 2387, 2466, 3145
3553

public markets, construction and maintenance of, to
provide for (Int. No. 1580)....2674, 2905, 3009, 3178, 3239
3549

public markets, construction and maintenance of, to
provide for (Rec. No. 424)..... 3256

water supply in, relative to provide for sanitary protec-
tion of the sources (Int. No. 697) . .416, 988, 1067, 1123, 1329
1407, 2047, 2660

water supply in, relative to provide for sanitary protec-
tion of the sources (Rec. No. 76)..... 873

Rockland, Orange and Sullivan counties, relative to terms
of assessors (Int. No. 1400).....1873, 2764, 2885, 3015, 3081

Rome, to incorporate the city, relative to assessors, their
duties and powers (Int. No. 1635) . .3005, 3262, 3312, 3324, 3379
3452, 3491

Rome, to incorporate the city, relative to assessors (Rec. No.
442) 3371

Rome, to incorporate the city, relative to election and ap-
pointment of city and ward officers (Int No. 1436) . .1994, 2358
2485, 2555, 2600, 2711, 3145, 3553

Rome, relative to legalize franchise made between the com-
mon council and Rome City Street Railway Co. (Int. No.
1640).....306, 3262, 3315, 3325, 3379, 3452, 3491

Rome, relative appropriation for removal of lock No. 1 of the Black River canal (Int. No. 557).....	289
Rome, relative to issue bonds for street improvements (Int. No. 1567).....	2597, 2904, 3011, 3178, 3238, 3332
Rome, relative to legalize franchise made between the com- mon council and Rome City Street Railway Co. (Rec. No. 443)	3372
Rome, Institution for Deaf-Mutes at, relative appropriation for fire-escapes (Int. No. 1226)....	1366, 2061, 2326, 2384, 2563 2639, 3192
Rome State Custodial Asylum, relative appropriation (Int. No. 995)....	871, 1711, 1974, 2057, 2319, 2383, 2562, 2625, 3798
Rome State Custodial Asylum, relative appropriation (Rec. No. 310)	2276
Roper, Edward, appointed committee clerk.....	63
Ross, Wm. A., appointed page	62
Ross, Wm. V., appointed deputy clerk.....	62
Rotterdam, relative to fix compensation of assessors (Int. No. 480)	251, 1642, 1773, 1821, 1886, 1958, 2347
Rotterdam, relative to fix compensation of assessors (Rec. No. 197)	1705
Rotterdam, relative to issue bonds for completing school- house (Int. No. 1317).....	1587, 1435, 2555, 2603, 2695, 3549
Rules, relative to amendments.....	3318
Ruttenbur, John, appointed page.....	62
Rye, Westchester county, relative to roads and streets in the town of (Int. No. 1040).....	1008, 1379, 1473, 1511, 1559, 1667

S.

PAGE.

Saratoga and Rensselaer counties, relative to rights, franchises and property of Union Bridge Co. (Int. No. 1532) ..	2419
Saratoga county, sheriff, make salaried office (Rec. No. 496) .	3912
	3914
Saratoga Springs, relative floating debt and board of auditors (Rec. No. 83)	874, 1510, 1567, 1676
Saratoga Springs, to amend charter, relative to establish the office of comptroller (Rec. No. 230) ..	1987, 2174, 2240, 2316
Saratoga Springs, to amend charter, relative to establish the office of comptroller (Int. No. 1313)	1587
Saratoga Springs, to amend charter, relative to fire commissioners (Rec. No. 401) ...	3207, 3558, 3565, 3873, 3891, 3897
	4135
Saratoga Springs, relative to establish a police department (Int. No. 1388) ..	1871, 2174, 2238, 2282, 2451, 2571, 2645, 3136
Saratoga Springs, to amend charter, relative to disposal of sewage (Int. No. 1065)	1036
Saratoga Springs, to amend charter, relative to disposal of sewage (Rec. No. 117)	1142, 1820, 1892, 1963
Saratoga Springs, to amend charter, relative to consolidate sewer and water commissioners (Int. No. 1066)	1036
Saratoga Springs, to amend charter, relative to consolidate sewer and water commissioners (Rec. No. 156)	1419, 1588
	1681, 1766
Saratoga Springs, to amend charter, relative to sewer, water and street commission (Rec. No. 258) ...	1992, 2175, 2239, 2314
	3061, 3674
Saunders, B. F., appointed clerk to committee on judiciary ..	63
Savelson, Abraham M., relative to examination for admission to the bar (Int. No. 1607)	2809

	PAGE.
Scenic and historic places and objects, relative to incorporate the trustees (Int. No. 1504).....	2279
Scenic and historic places and objects, relative to incorporate the trustees (Rec. No. 351).....	2750, 2812, 2944
Scenic and historic places and objects, relative to incorporate the trustees (Rec. No. 74).....	829, 912, 970
Schenectady, charter of city, to amend, relative board of assessors (Int. No. 105)..	80, 475, 507, 666, 860, 928, 1138, 1699 1788, 2148, 2335
Schenectady, charter of city, to amend, relative to assessors (Rec. No. 80).....	873, 2547, 2609, 2724
Schenectady, charter of city, to amend, relative to issuing of bonds by the common council (Int. No. 100)..	79, 174, 193 218, 259, 307, 1622, 2400
Schenectady, charter of city, to amend, relative powers and duties of city officers (Int. No. 1214)..	1364, 1806, 1972, 2010 2180, 2260, 3251
Schenectady, charter of city, to amend, relative to powers and duties of city officers (Rec. No. 293).....	2274
Schenectady, charter of city, to amend, relative to fixing salaries of city officers (Int. No. 104)..	80, 476, 506, 527, 595 642, 819, 1136
Schenectady, charter of city, to amend, relative fixing salaries of city officers (Rec. No 47).....	744
Schenectady, relative to cancel assessments for culvert over Cowhorn creek (Int. No. 998).....	872
Schenectady, relative to cancel assessments for culvert over Cowhorn creek (Rec. No. 177).....	1582, 1808, 1892, 1968

Schenectady, charter of city, to amend, relative to borrow money and issue bonds to pay indebtedness of the fire department (Int. No. 102).....	80, 328, 383, 401, 441, 489, 1136
Schenectady, relative to organize a fire department and board of fire commissioners (Int. No. 107)....	80, 174, 193, 218
	259, 306
Schenectady, relative to organize a fire department and board of fire commissioners (Rec. No. 79) ..	873, 1809, 1893, 1969
Schenectady, charter of city, to amend, relative to fiscal year (Int. No. 997).....	871, 1235, 1397, 1443, 1655, 1745
Schenectady, charter of city, to amend, relative to fiscal year (Rec. No. 176).....	1582, 2547, 2609, 2725
Schenectady, charter of city, to amend, relative to borrow money and issue bonds to pay certain indebtedness (Int. No. 101).....	80, 328, 383, 402, 441, 489, 1135
Schenectady, charter of city, to amend, relative to public improvements (Int. No. 103) ..	80, 476, 507, 923, 1132, 1180, 1358
	1699
Schenectady, charter of city, to amend, relative to improvements (Rec. No. 82).....	874
Schenectady, charter of city, to amend, relative to payment of certain street improvements (Int. No. 1456) ..	2055, 2904, 3011
	3268, 3324, 3378, 3446, 3799
Schenectady, relative payment of assessments for street improvements (Int. No. 106) ..	80, 328, 383, 402, 441, 488, 819
	1135
Schenectady, relative to authorize the board of supervisors to sell the poorhouse farm and buildings (Int. No. 252) ..	120
	276, 313, 333, 406, 449, 954

Schenectady county, relative to fix the terms of office of supervisors in several towns (Int. No. 418).....	186
Schenectady county, relative to fix terms of office of supervisors in several towns (Rec. No. 78)....	873, 1250, 1643
	1771, 1821, 1887, 1953, 2210
Schenectady, charter of city, to amend, relative to wards, officers and elections (Rec. No. 65)..<	827, 1507, 1568, 1679, 3202
Schenectady, charter of city, to amend, relative to water loan (Rec. No. 294).....	2274
Schenectady, charter of city, to amend, relative to water loan (Int. No. 1196)....	1328, 1808, 1890, 1931, 2081, 2187, 3251
School directors in towns, relative to provide for election of (Int. No. 445).....	198
Schwartz, Isidor, appointed general messenger.....	63
Seabury, James W., appointed page.....	62
Secretary of State, list of members, presented by.....	3
Senate:	
committee on the part of, announce the Senate is ready for business.....	17
committee on the part of, announce that Timothy E. Ellsworth has been duly elected President pro tem..	17
committee on the part of, announce the Senate is ready to meet in joint convention.....	598
conference committee on bill to amend Code of Civil Procedure, relative to letters of administration.....	1419
conference committee on bill making appropriations for support of government.....	3135
committee on the part of, report the Senate is ready to adjourn.....	4144

Senate—Continued:	PAGE.
conference committee on "Supply Bill".....	3868
Seneca county, to legalize the action of the board of super- visors, relative holding town meetings (Int. No. 115)....	82
	115, 124, 256
Seneca Falls, relative to construction of Rumsey Street bridge (Int. No. 1511).....	2280, 2553, 2598, 2777, 2922, 3192, 3672
Seneca river, relative to removal of certain piers at Water- loo (Int. No. 1541).....	2421
Seneca river, relative construction of controlling gates for regulating waters of Cayuga lake (Int. No. 1327)....	1706, 3810
	3891, 3899
Session laws, relative appropriation for balance due news- papers (Int. No. 40).....	67, 122, 133, 134, 148
Seventy-first Regiment, relative to provide for a monu- ment (Int. No. 16).....	63, 2060, 2326, 2384, 2560, 2640, 3686
Sewer systems outside incorporated villages and cities, to provide for (Int. No. 1367).....	1795, 2005, 2141, 2179, 2386
	2465, 3139, 3194
Sharpe, Buddington, appointed messenger.....	62
Sheldon, James C., appointed deputy clerk to Committee on Revision.....	62
Simpson, Geo. R., relative examination for admission to the bar (Int. No. 673)....	388, 1099, 1200, 1254, 1296, 1333
Sing Sing, to revise charter of village, relative to changing boundary lines (Int. No. 850).....	620, 1251, 1396, 1442
	1558, 1665, 2211
Skaneateles feeder of the Erie canal, relative appropria- tion for repairs (Int. No. 392).....	170, 2058, 2326, 2384
	2561, 2642, 3254

Skinner, Charles R., elected Superintendent of Public Instruction	598,	600
Sloane, Charles A., appointed assistant index clerk.....		62
Smith, B. V., appointed assistant librarian.....		62
Smith, Fred R., appointed superintendent of documents..		62
Smith, George K., appointed general messenger.....		63
Smith, Mott, appointed page.....		62
Smith, Ray B., appointed assistant clerk.....		61
Society for Reformation of Juvenile Delinquents, relative appropriation (Int. No. 1122) ..	1140, 1712, 1974, 2010, 2181,	2253
Society for the Reformation of Juvenile Delinquents, relative appropriation (Rec. No. 308)...	2276, 2508, 2610, 3130,	3864
Soldiers and sailors, relative to licenses for hawking and peddling merchandise (Int. No. 1447).....	2054, 2434,	2566
	2599, 2778,	2925
Soldiers and Sailors' Home, at Bath, relative appropriation for repairs (Int. No. 427).....	187, 1218, 1428, 1617,	1644
	1831, 1913, 2545, 2775, 2915, 3647,	3795
Somerset, relative to abolish the office of Railroad Commissioner (Int. No. 1203)...	1362, 1813, 1891, 1933, 2225, 2302,	2500
Southold, Suffolk county, to provide for repairing and extending sea wall (Int. No. 220).....	104, 296, 381,	404
	531, 629,	3254
Speaker:		
appointment of standing committees.....		55
election of.....		8
opening address of.....		9
appointment of a committee to wait upon the Governor		16

Speaker—Continued:

PAGE.

appointment of a committee to wait upon the Senate	16, 597
appointment of a committee to prepare ballots for the drawing of seats.....	17
appointments made by.....	54, 62, 580, 1703
appointment of a committee to escort Wu Ting-Fang to the chair.....	105
appointment of a committee to attend the funeral of Senator Parsons.....	322
announced the receipt of a communication from Mrs. Cornelius R. Parsons.....	522
declared Robert C. Pruyn nominated for the office of Regent of the University.....	578
communication from legislature, State of Oregon, presented by.....	614
communication from legislature, State of Minnesota, presented by.....	820
appointment of a committee to consider statutory revi- sion bills	959
appointment of a committee on congressional appor- tionment	1169, 1170
appointment of a conference committee on bill to amend Code of Civil Procedure, relative letters of administration	1419
appointment of a committee to attend the funeral of Hon. Wm. H. Wilson.....	2503
communication from legislature, State of Wyoming, presented by	2594

Speaker—Continued:

PAGE.

communication from legislature, State of Nevada, presented by	2595
appointment of a conference committee on appropriation bill	3135
appointment of a conference committee on bill, relative to publication of Forest, Fish and Game Laws.	3201
appointment of officers to attend opening next session.	4144
appointment of officers to remain 30 days after adjournment	4144
closing address	4145
appointment of a conference committee on Supply Bill	3786

Speaker, decisions of the, on points of order raised by:

Mr. McKeown, on bill to amend Greater New York charter, relative to municipal court.....	316, 317
Mr. McKeown, on bill to amend the Town Law.....	2141
Mr. McKeown, on three bills, relative to offices of register, sheriff and clerk of Kings county.....	2323
Mr. Hyman, on bill to amend the Penal Code, relative to kidnapping.....	2390
Mr. Allds, on bill to amend the Railroad Law, relative to street surface railroad corporations.....	2393, 2394
Mr. McKeown, on bill to regulate the practice of architecture	2466
Mr. McKeown, on bill to amend general laws, relative to elections.....	2688
Mr. McKeown, on bill to amend the Insanity Law.....	2688
Mr. McKeown, on bill to amend charter of city of Buffalo, relative to the office of mayor.....	3021

Speaker, decisions of the—Continued:

PAGE.

Mr. Burnett, on bill, relative to appropriation for improvements of the canals.....	3220
Mr. McKeown, on bill, relative to regulate liability of employers to employes.....	3366, 3376
Mr. Fitzgerald, Mr. McKeown, Mr. Geoghan, on bill, relative unpaid taxes, Erie county.....	3585
Mr. McKeown, Mr. Coughtry, Mr. Lewis, on bill to create board of public instruction in the city of Albany	3801
Mr. Fitzgerald, on bill relative New York city docks..	4056
Springfield Center, relative to separate road district (Int. No. 1322)	1632, 2076, 2178, 2289, 2394
Springfield Center, relative to separate road district (Rec. No. 296)	2274, 2408, 2952
State School for the Blind, relative appropriation (Int. No. 1062)	1035, 1425, 1618, 1646, 1832, 1913 3193
State Board of Law Examiners, relative admission of citizens to examinations (Int. No. 1318)..	1587, 2352, 2487, 2555 2603, 2720, 3796
State Board of Law Examiners, relative admission of citizens to examinations (Int. No. 1589).....	2754
State Board of Pharmacy, relative to grant a license to George H. White (Int. No. 824).....	583
State Board of Law Examiners, relative admission of citizens to the examinations (Int. No. 653).....	385, 909, 1066 1252, 1295, 1330, 2346, 2889, 2891
State Charities Law, to amend, relative to State Board of Charities (Int. No. 169).....	91

- State Charities Law, to amend, relative to transfer of inmates to Elmira, or Eastern New York Reformatories (Int. No. 487)....252, 478, 507, 766, 922, 1131, 1181, 2414, 2686
2786, 3686, 3792
- State Charities Law, to amend and incorporate other statutes, relative to charities (Int. 1271)..... 1488
- State Custodial Asylum for Feeble-Minded Women at Newark, relative appropriation (Int. No. 1145).....1214, 1713
1974, 2010, 2181, 2254, 3192
- State Custodial Asylum for Feeble-Minded Women at Newark (Rec. No. 303)..... 2276
- State Hospital for Crippled and Deformed Children, relative to estimates for hospital expenses (Rec. No. 295).... 2274
2676, 3022, 3074, 3228, 3285, 3470
- State Commissioners of Land Office grant authority cede Esopus Island to United States (Rec. No. 490)....3811, 3892
3909
- State Commission of Prisons, relative to provide for appointment and define its duties (Int. No. 170)....91, 189, 227, 246
259, 308, 413
- State dam on Saranac river, relative appropriation for completion of lock (Int. No. 1249)....1422, 2056, 2186, 2219, 2385
2473, 3551
- State employes, relative to classify, grade and establish rates of compensation (Rec. No. 119)....1143, 2676, 3022, 3074
3228, 3285, 3321, 3340, 3470
- State Finance Law, to amend, relative to investments by the Comptroller (Int. No. 1219)....1365, 1509, 2693, 2768, 2910, 3047

State Finance Law, to amend, relative to loan commissioners (Int. No. 250).....	120
State Finance Law, to amend, relative compensation of loan commissioners (Int. No. 228)....	117, 2814, 3123, 3172, 3268 3323, 3378, 3444
State Finance Law, to amend, relative to itemized accounts of public officers (Int. No. 1218)...	1365, 2509, 2606, 2684, 3015 3087, 3548
State Finance Law, to amend, relative payments to State Treasurer by State officers, employes, boards, departments or commissions (Rec. No. 446)...	3476, 3562, 3570, 3605
State Finance Law, to amend, relative to deposit of State moneys (Rec. No. 407)...	3207, 3358, 3489, 3540, 3636, 4035, 4056
State Hospital for Care of Crippled and Deformed Children, relative to establish (Int. No. 586)...	292, 422, 575, 593, 749, 802
State Hospital for Care of Crippled and Deformed Children, relative appropriation (Rec. No. 325)...	2504, 3214, 3281, 3556 3699, 3716
State Hospital for Care of Crippled and Deformed Children, relative to establish (Rec. No. 63).....	776
State Hospitals for the Insane, relative appropriation for buildings and repairs (Rec. No. 267)....	2053, 2675, 2784, 2936
State hospital for treatment of tuberculosis, relative appropriation (Int. No. 728).....	421
State hospital for treatment of tuberculosis, relative to appropriation (Rec. No. 145)...	1324, 2813, 3124, 3173, 3269, 3358 3485, 3506, 3890, 3894, 4135
State Industrial School, relative to appropriation (Rec. No. 203).....	1790, 3481, 3570, 3609

	PAGE.
State Industrial School, relative to appropriation for new site (Rec. No. 318).....	2422
State institutions, relative to regulate the selection and appointment of trustees and managers (Int. No. 1343)..	1709
	3789
State law, to amend, relative to arms of the State and the State flag (Rec. No. 285).....	2214, 2285, 2391
State Museum of Natural History, to regulate, and publication of paleontology (Int. No. 1394)....	1872, 2070, 2178, 2226
	2304, 3136
State printing, to amend law, generally (Int. No. 1257)...	1486
	2175, 2945, 3294, 3483, 3569, 3597
State prisons, to amend law, relative to powers of board of classification (Int. No. 970)..	826, 1251, 1300, 1385, 1518, 1599
	3303, 3332
State prisons, relative to provide for their support and maintenance (Int. No. 264)..	129, 188, 223, 245, 259, 285, 2663, 2744
	3060, 3061, 3130, 3327, 3355, 3486, 3517, 3872
State Racing Commission, to establish and incorporate association for breed of horses (Int. No. 887).....	659, 1874, 1971
State Racing Commission, to establish and incorporate association for breed of horses (Int. No. 619).....	363
State Racing Commission, to establish, relative to tax and examination of books and records (Int. No. 1302).....	1586
State Reformatory for Male Misdemeanants, relative to establish (Int. No. 469).....	230
State Reformatory for Women, relative appropriation (Int. No. 1134).....	1141, 1424, 1617, 1645, 1832, 1911, 2211

State Veterinary College, relative to establish at New York University (Int. No. 565).....	290
State volunteers in the late Spanish war, relative to provide for payment (Int. No. 162).....	90
Staten Island ferries, relative to regulate fare during hours traveled by working men (Int. No. 1415).....	1930, 1436
Staten Island ferries, relative to prohibit the operation of boats 40 years old (Int. No. 890).....	659, 1436
Staten Island ferries, relative to regulate monthly commutation fare (Int. No. 1472).....	2215, 2882
Staten Island ferry, relative to regulate early morning trips (Int. No. 1467).....	2152, 2433
Staten Island sound, relative to Arthur Kill bridge (Int. No. 1466)	2152
State printing office, to establish and create office of Superintendent (Int. No. 1369).....	1795
Statutes, relative to provide for serial publication without expense to the State (Int. No. 383).....	169, 392, 454
Statutes, relative to publication of, in serial form and to repeal certain laws (Int. No. 638).....	365, 1874, 1971
Statutory Construction Law, to amend, relative to common lands (Int. No. 1422).....	1992, 2757, 3121, 3177, 3381
Statutory Construction Law, to amend, relative to common lands (Rec. No. 349).....	2749, 3160, 3476, 3566, 3574, 3873
Steam boilers, engines, etc., operated by incompetent persons, relative to protection of life and property (Int. No. 207).....	102, 1153, 1355
Steinam, Lucas A., memorial fund, to incorporate and prescribe its objects and powers (Rec. No. 30).....	526, 849, 946

Stickney, Wm. W., relative cancellation of tax sales (Int. No. 1020).....	961, 1633, 1774, 1822, 1885, 1960, 3136
St. Lawrence and Franklin counties, relative to establish boundary lines (Int. No. 1231).....	1420
St. Lawrence and Franklin counties, relative to south boundary line (Rec. No. 241) ..	1988, 3213, 3281, 3362, 3487, 3522
St. Lawrence and Franklin counties, relative to south boundary line (Int. No. 693).....	415
Stock Corporation Law, to amend, relative to examination of books of accounts by stockholders (Int. No. 852) ..	620, 1632 1774
Stock Corporation Law, to amend, relative to issue of debenture bond-stock (Rec. No. 417).....	3209, 3558, 3698, 3724
Stock Corporation Law, to amend, relative to issue of debenture bond stock (Int. No. 547) ..	287, 2357, 2688, 2768, 2909, 3038
Stock Corporation Law, to amend, relative to sale of corporate franchises and property (Int. No. 380) ..	169, 844, 1065, 1121 1168, 1303, 1779, 1867
Stock Corporation Law, to amend, relative to merger of corporations (Int. No. 215).....	103
Stock Corporation Law, to amend, relative mortgage property (Int. No. 15) ..	63, 1235, 1396, 1446, 1616, 1653, 1936, 2028 3190, 3252, 3688, 3689
Street and elevated railroads, relative to prevent discrimination against persons carrying receptacles for tools (Int. No. 235).....	118
Strawson, Wm. A., appointed assistant financial clerk....	62
Storing personal chattels, relative to regulate the business (Int. No. 994) ..	871, 1717, 1974, 2436, 2598, 2886, 3026, 3119, 3326

Storing personal chattels, relative to regulate the business (Rec. No. 432).....	3258, 3479, 3572, 3620
Storage warehouses, to amend law, relative to, title to or possession of goods, wares, etc. (Int No. 347).....	164
Storage warehouses, to amend law, relative to, title to or possession of goods, wares, etc. (Int. No. 327).....	157
Storage warehouses, relative title to or possession of goods (Int. No. 682).....	389
Storage warehouses, relative to party defendant in action (Int. No. 740).....	465, 2068
Storage warehousemen, relative to collect their charges by sale of goods deposited (Int. No. 522).....	263
Sugar beet culture, relative appropriation to continue the promotion of (Int. No. 281)..	138, 1710, 1972, 2010, 2182, 2261 3193
Sullivan county, relative to make the office of county clerk salaried (Rec. No. 75).....	830, 1380, 1470
Supreme Court, Appellate Division, Second Department, relative to compensation of justices (Rec. No. 330)..	2506, 3359 3489, 3536
Supreme Court, trial judges, relative New York and Kings (Int. No. 1084).....	1077
Supreme Court Justices, relative to payment of expenses (Int. No. 1573).....	2673
Supreme Court Justices, relative to payment of expenses (Rec No. 469).....	3555, 3694, 3698, 3710
Supreme Court, relative appoint referees First Judicial Department (Rec. No. 476).....	3695, 3892, 3907, 4058, 4059

	PAGE.
Supreme Court, relative to provide for a reporter (Int. No. 1279)	1489
Supreme Court, relative to provide for a reporter (Int. No. 1135)	1141
Sylvan Beach, relative to revise, amend and repeal certain acts (Int. No. 1215)	1364, 1811, 2283, 2562, 2614, 3192
Syracuse:	
bridge over the Oswego canal at North Salina street, relative to provide for construction (Int. No. 1601)	2756 3210, 3280, 3321, 3324, 3340, 3549
bridge over the Oswego canal at Willow street, relative to provide for construction (Int. No. 1652)	3071
charter of city, to amend, relative to boundaries and debts of territory annexed (Int. No. 981)	869, 1090, 1204 1252, 1296, 1339, 1621, 2735, 3200
claims against the city, relative to payment (Int. No. 1171)	1290, 1503, 1553, 1655, 1743
Claims against the city, relative to payment (Rec. No. 195)	1704, 2892
Municipal Electric Lighting Plant, relative to cost of establishing (Int. No. 1364)	1795, 2762, 3121, 3172, 3269 3323, 3349, 3799
State Institution for Feeble-Minded Children, relative appropriation (Int. No. 1091)	1078, 1712, 1974, 2010, 2181 2252, 3645, 3795
Swamps, marshes and other low lands, relative to proceedings for drainage (Int. No. 426)	186, 1720, 2436, 2691, 2767 2909, 3035, 3549

T.

PAGE.

Taxation, to amend general laws, relative to cancellation of certain tax sales (Int. No. 1660).....	3157, 3691, 3813, 3819
Taxation, to amend law, relative to deposits of domestic life insurance corporations (Int. No. 1280)....	1489, 1723, 1837 1882, 2182, 2248, 3651, 3795
Taxation, to amend law, relative to land sold for taxes (Int. No. 265)	129, 1436, 1521, 1619, 1645, 1831, 1917, 2741
Taxation, relative to exemption and mode of assessment (Int. No. 119).....	82
Taxation of savings banks and insurance companies, rela- tive to repeal law (Int. No. 401).....	171
Taxation, relative to certain corporations, joint stock com- panies and associations (Int. No. 55).....	70
Taxation, to amend law, relative taxable transfers of prop- erty (Int. No. 545).....	268
Taxation, to amend law, relative to seal (Int. No. 283) ..	138, 300 362, 369, 481, 515, 1212, 1624, 1625, 1701, 2046
Taxation, to amend law, relative to trust companies (Int. No. 54).....	70
Tax Law, to amend, relative to assessment of real property in two or more tax districts (Int. No. 1354) ..	1793, 2817, 2940 3012, 3269, 3475, 3567, 3601
Tax Law, to amend, relative to assessment rolls (Rec. No. 148)	1325, 1797, 2686, 2768, 3014, 3090, 3201
Tax Law, to amend, relative taxation of bank shares for State purposes (Int. No. 450).....	199
Tax Law, amend relative taxation of stockholders banks (Rec. No. 453).....	3563, 3693, 3814, 3837, 4002

Tax Law, to amend, relative to taxing cemetery corporations (Int. No. 1330).....	1707
Tax Law, to amend, relative to return by collector of unpaid taxes (Rec. No. 311)....	2277, 2440, 2568, 2655, 2889, 3689, 4015
Tax Law, to amend, relative to return by the collector of unpaid taxes (Int. No. 705)....	417, 1723, 2152, 2238, 2600, 3178 3235
Tax Law, to amend, relative publication of notices by collectors, Suffolk county (Int. No. 1030)....	962, 1114, 1206, 1253 1297, 1344, 1622, 2050, 2146, 2497, 2775, 2913, 3255
Tax Law, to amend, relative to preparation of assessment rolls and duties of collectors (Int. No. 763)....	498, 852, 945 1001, 1016, 1048, 2048
Tax Law, relative to provide for a commissioner to revise (Int. No. 862).....	655
Tax Law, to amend, relative to comptroller's deed and application therefor (Int. No. 1588)....	2754, 3219, 3277, 3380, 3461 3476, 3491, 3566, 3593
Tax Law, to amend, relative to corporate franchises (Int. No. 751)	466
Tax Law, to amend, relative to taxation of corporations (Int. No. 817)	582
Tax law, to amend, relative to franchise tax on corporations (Int. No. 301) ..	141, 1798, 1972, 2011, 2082, 2189, 2385, 2462, 3637 3869
Tax Law, to amend, relative to prevent discrimination in assessment of real estate (Int. No. 1205).....	1363
Tax Law, to amend, relative to taxation of insurance, title, guaranty and surety corporations (Int. No. 300).....	141

Tax Law, to amend, relative to franchise taxes of insurance companies (Rec. No. 122).....	1143, 1436, 1526, 1562, 1595
Tax Law, to amend, relative to land sold for taxes, expense incurred by county treasurer (Int. No. 681)....	389, 2817, 3122 3173, 3270
Tax Law, to amend, relative to exempting laundry corporation from taxation (Int. No. 453).....	199
Tax Law, to amend, relative to bonds secured by mortgages on real estate (Int. No. 578).....	291
Tax Law, to amend, relative to reducing the organization tax (Rec. No. 427).....	3257, 3555, 3700, 3712
Tax Law, to amend, relative to assessment of personal property (Int. No. 540).....	267
Tax law, to amend, relative to taxation of public franchises as real property (Int. No. 1008).....	959, 2280, 2390, 4031
Tax Law, to amend, relative franchise tax paid by elevated or surface railroads (Int. No. 812)..	581, 1152, 1297, 1385, 1519 1601, 1977, 2386, 2453
Tax Law, to amend, relative to redemption from tax sales (Int. No. 1308)..	1631, 2817, 2940, 3017, 3124, 3182, 3225, 3328 3358, 3485, 3507, 3686
Tax Law to amend, relative to appeals to the State Board Int. No. 393).....	170, 2818, 3123, 3173, 3269
Tax Law, to amend, relative to exemption of savings bank deposits (Int. No. 654).....	385
Tax Law, to amend, relative to taxation of savings banks (Int. No. 302).....	141
Tax Law, to amend, relative to taxation of savings banks (Rec. No. 121).....	1143, 1435, 1526, 1562, 1596

Tax Law, to amend, relative to provide for apportionment in State taxes (Int. No. 165).....	91
Tax Law, to amend, relative to taxation of State lands in Dannemora and Altona (Int. No. 1136)..1141, 1723, 1837, 1875 2021, 2106, 2742, 3311, 3312	
Tax Law, to amend, relative sale of land for unpaid taxes (Int. No. 625).....	363, 1723, 2432, 2690, 2767, 2909, 3042
Tax Law, to amend, relative to supplementary proceedings to collect taxes (Rec. No. 235).....	1988, 2440, 2567, 2652
Tax Law, to amend, relative to taxable transfers of prop- erty (Int. No. 270).....	130
Tax Law, to amend, relative to taxable transfers of prop- erty (Rec. No. 268).....	2051, 2052
Tax Law, to amend, relative to taxable transfers of prop- erty (Int. No. 1188).....	1327
Tax Law, to amend, relative to taxable transfers of prop- erty (Int. No. 1668).....	3210
Tax Law, to amend, relative to taxable transfers of prop- erty and appointing an appraiser in Queens county (Int. No. 1477).....	2216, 2435, 2605, 2681, 2776, 2935
Tax Law, amend, relative, taxable transfers (Rec. No. 495).	4021
Tax Law, to amend, relative taxable transfers of property (Int. No. 916).....	774
Tax Law, relative to taxable transfers of property, to repeal certain section (Int. No. 172).....	92, 1160, 1354, 1389 1593, 1695, 3648, 3794
Tax Law, to amend, relative to taxable transfers of prop- erty and appointing an appraiser in Queens county (Rec. No. 346)	2748

Tax Law, to amend, relative to taxation of trust companies (Rec. No. 120).....	1143, 1250, 1721, 1843, 1875 1886, 1961, 2148
Tax Law, amend, relative taxation trust companies (Rec. No. 484).....	3695, 3813, 3834
Tax Law, to amend, relative to taxation of trust companies (Int. No. 1692).....	3375, 3555, 3697, 3817
Tax Law, to amend, relative to receipts for taxes (Int. No. 296)	140
Tax Law, to amend, relative to exemption of town water companies from taxation (Int. No. 433).....	197
Tax rate bill (Int. No. 1700).....	4062, 4140
Tax sales and leases, relative cancellation of certain (Int. No. 1251)	1423
Taylor, James D., appointed Speaker's stenographer.....	62
Telegraphic quotation tickers, letting or leasing of, to regu- late (Int. No. 938).....	822, 1719, 1833, 1879, 1926, 2069 2178, 2224, 2300, 2395
Terry, C. L., appointed general messenger.....	63
Testamentary trustees, relative to powers (Int. No. 1220).. 2069, 2183, 2234, 2417, 2498, 2694, 2774, 3013, 3093, 3182	1365
Theresa and Philadelphia, relative to railroad funds of the towns (Rec. No. 374).....	3148
Thomas Asylum for Orphan and Destitute Indian Children, relative appropriation (Int. No. 804).....	580, 2058, 2326, 2384 2561, 2641, 3253
Thomas Asylum for Orphan and Destitute Indian Children, relative appropriation (Rec. No. 204).....	1790
Thompson, Edward, appointed general messenger.....	63

	PAGE.
Thompson, Robert H. D., appointed page.....	62
Thonet, Oscar, appointed deputy clerk.....	1703
Tonawanda, relative to provide for reconstruction of bridge over Erie canal (Int. No. 844).....	619
Tonawanda, relative to bridge over the Erie canal on North Niagara street (Int. No. 26).....	65, 2055, 2235, 2281 2385, 2476, 3193, 3472, 3544, 3546
Tonawanda, relative to State armory (Int. No. 1677).....	3319
Tonawanda, bridge over the Erie canal, relative to con- struction (Int. No. 237).....	118
Tonawanda, reconstruct canal bridge at, appropriation for (Rec. No. 501).....	3876, 4034, 4040
Toll bridges over rivers forming boundaries of counties, relative franchises (Int. No. 1213).....	1364, 2004, 2424, 2692
Town and Election Law, to amend, relative to raising money for town purposes (Int. No. 1551).....	2507, 2758 2889, 2908, 3076, 3154, 3188
Town and Election Law, to amend, relative to raising money for town purposes (Rec. No. 395).....	3154, 3463
Town boards, relative to lease building for justices of the peace to hold court (Int. No. 1147).....	1215, 1642, 1772, 1875, 2081 2193, 2741
Town officers in certain counties, relative to powers and pro- viding for public improvements (Int. No. 1643)....	3007, 3264 3321, 3338, 3685
Town Law, amend section 15 (Rec. No. 465).....	3564, 3912, 3916
Town Law, to amend, relative to care of abandoned ceme- teries (Int. No. 1118).....	1139, 2075, 2321, 2562, 2629, 3193

Town Law, to amend, relative to canvass of votes where town meeting is held (Int. No. 496).....	253
Town Law, to amend, relative to undertakings of town clerks (Int. No. 1146).....	1215
Town Law, to amend, relative to term of office of collector (Int. No. 343).....	163, 588, 817, 857, 926, 974, 2148
Town Law, to amend, relative commissioner of highways (Int. No. 1346).....	1792, 2005, 2141
Town Law, to amend, relative to oaths of office of justices of the peace (Int. No. 766).....	498, 1116, 1351, 1386, 1519, 1603 2048, 2344, 2407, 2417, 2686, 2787, 3255
Town Law, to amend, relative to justices of the peace and town clerks (Rec. No. 376).....	3149, 3360, 3488, 3528
Town Law, to amend, relative to biennial town meetings (Int. No. 719).....	419, 1439, 1523, 1552, 1655, 1761, 2023, 2091, 3253
Town Law, to amend, relative to compensation of town offi- cers (Int. No. 657).....	386, 589, 645, 749, 816, 1197, 1380, 1614, 1646 1831, 1908, 3306, 3332
Town Law, to amend, relative to election of town officers (Int. No. 1539).....	2420, 2764, 2885, 2886, 2939, 3027, 3192
Town Law, to amend, relative to oath of office of overseer of highways (Int. No. 954)....	824, 1379, 1478, 1518, 1656, 1753
Town Law, to amend, relative to taxation of trust companies (Int. No. 451).....	199
Transportation Corporations Law, to amend, relative capital stock of corporations organized to navigate the canals (Int. No. 409).....	184, 2352, 2486, 2557, 2602, 2717, 3015, 3085, 3797

	PAGE.
Transportation Corporations Law, relative extending its provisions to the canals, to repeal certain section (Int. No. 240)	119
Transportation Corporations Law, relative to rents due for lights (Int. No. 356)	165
Transportation Corporations Law, to amend, relative to preserve the rights of water works corporations (Int. No. 825)	583
Troy:	
aldermen, relative to provide for payment of salaries (Int. No. 1491)	2277, 2548, 2606, 2681, 2777, 2932
boundaries and limits of city, to define and describe (Int. No. 856)	654, 1092, 1199, 1254, 1294, 1333, 1558, 1664, 2347
	3134
Catholic Male Orphan Asylum of Troy, relative claim of (Int. No. 1253)	1486, 3223, 3355, 3490, 3579
cemeteries, relative to removal of bodies and extinguish rights of lot owners (Int. No. 984)	870, 1091, 1202, 1253
	1393, 1457, 2347
illuminating and fuel gas, relative to regulate the price of (Int. No. 176)	92, 788
justices' court of city of, relative to change the name (Int. No. 1250)	1423, 1636, 1884, 2181
	2243, 2318, 3851, 3868
Mt. Magdalen School of Industry and Reformatory of the Good Shepherd, relative to commitments (Int. No. 1628)	2899, 3223, 3265, 3328, 3356, 3486, 3516
park commission, to create and provide for additional parks (Int. No. 175)	92, 269, 586, 650, 663
	747, 814, 1212, 1863

Troy—Continued:

PAGE.

public driveway in, relative to lay out, establish and regulate (Int. No. 691)....	415, 838, 1064, 1120, 1169, 1275
State armory, relative to provide for improvement and enlargement (Int. No. 74).....	75, 2056, 2236, 2281 2388, 2475, 3798
Troy Young Men's Association, relative to change the corporate name (Int. No. 304)....	153, 274, 313, 333, 405, 446, 616
Trust companies, relative to confer additional powers in certain counties (Int. No. 1559).....	2508, 3162, 3227, 3381
Trust companies in certain counties, relative to conferring additional powers (Rec. No. 342).....	2748, 3483, 3570, 3606
Trust companies, relative appointment as trustee, guardian or administrator (Int. No. 116).....	82, 392, 453, 478 506, 533, 3198, 3253
Turnpikes, plank roads and bridges, relative corporations exacting toll (Int. No. 67).....	74, 178, 194, 247, 336, 375 463, 654, 772, 783, 1115, 1117, 1393, 1450, 1623
U.	
Ulrich, John, appointed post-office messenger.....	62
Ulster county, relative construction of bridge over Rondout creek at Napanoch (Int. No. 1293).....	1545
Union College, relative to establish a State laboratory of electrical engineering (Int. No. 847).....	619
Union Bridge Company, relative to incorporate (Int. No. 1533)	2420
Union Bridge Company, relative to incorporate (Int. No. 1618	2897
Union Falls, relative appropriation for building dam across Saranac river at (Int. No. 1655).....	3156

United States Mortgage Company, relative to incorporate (Rec. No. 441).....	3476, 3562-3571, 3632
United States Volunteer Life Saving Corps, relative appro- priation (Int. No. 946).....	823, 3211, 3356, 3490, 3578
University Law, to amend, relative to duplicate department (Rec. No. 345).....	2748, 3213, 3281
University Law, to amend, relative to establishment and support of public libraries (Int. No. 1644).....	3069, 3358 3484, 3494
University Law, amend, support of libraries (Rec. No. 466),	3693
University Law, to amend, relative to powers of trustees of institutions in the University (Int. No. 1645).....	3069, 3316 3377, 3437
University Law, amend, powers of trustees of institutions in the University (Rec. No. 467).....	3693, 3698, 3729
University State of New York, relative to waive certain examinations (Int. No. 1165).....	1289, 2070, 2324 2383, 2561, 2635, 2741
Utica:	
appoint commissioners for changing channel of Mohawk river, relative to provide for, by the issue of bonds (Int. No. 662).....	386, 2074, 2184, 2221, 2560, 2618
appoint commissioners for changing channel of Mohawk river, relative to provide for, by the issue of bonds (Rec. No. 202).....	1706, 3479, 3573, 3618
board of assessors in, to create, relative to review of assessment lists (Int. No. 918).....	774, 1807, 1889 1931, 2080, 2204

Utica—Continued:

PAGE.

board of assessors in, to create, relative to 'review of assessment lists (Rec. No. 210).....	1792, 2358, 2489, 2581
board of charities, relative to additional member (Int. No. 1183)	1326
bridge over new channel of Mohawk river, to provide for (Int. No. 663).....	387, 1371, 1477, 1512, 1559, 1673
bridge over new channel of Mohawk river, to provide for (Rec. No. 211).....	1792, 3479, 3572, 3619
charter of city, to amend, relative to the tax budget (Int. No. 1095).....	1079, 1808, 1890, 2013, 2387, 2457
charter of city, to amend, relative to tax budget (Rec. No. 173)	1582, 2361, 2489, 2580, 3147 3189, 3359, 3381, 3485, 3505, 3786
charter of city, to amend, relative to letting contracts for street cleaning (Int. No. 1184).....	1326
central advanced schoolhouse, relative to legalize vote cast at general election 1900 (Int. No. 118).....	82
central advanced schoolhouse, relative to legalize vote cast at general election 1900 (Rec. No. 12)....	295, 767
free textbooks to pupils of the common schools, relative to furnishing (Int. No. 664)....	387, 1165, 1270, 1292, 1393 1466
free textbooks to pupils of the common schools, relative to furnishing (Rec. No. 418).....	3209, 3479, 3571, 3624
Mary street schoolhouse, relative to legalize vote cast at general election 1900 (Int. No. 124).....	83
Mary street schoolhouse, relative to legalize vote cast at general election 1900 (Rec. No. 13).....	295, 768

Utica—Continued:

PAGE.

money raised for town expenses, relative to safe keep-	
ing (Int. No. 919).....	774, 1372, 1476, 1512, 1558, 1672
money raised for town expenses, relative to safe keep-	
ing (Rec. No. 209).....	1791, 2361, 2489, 2580
new courthouse in, relative to provide for erection and	
furnishings (Int. No. 772).....	499, 991, 1212
new courthouse in, relative to provide for erection and	
furnishings (Rec. No. 127).....	1144
police and fire commissioners, relative to establish a	
board (Int. No. 12).....	54, 177, 231, 258, 282, 309, 819, 1135
	1171, 1211, 1214, 1357
police and fire commissioners, relative to establish a	
board (Rec. No. 17).....	328
police and fire commissioners, to establish a board, rela-	
tive to increase of appropriation (Int. No. 1393)....	1872
	1997, 2079, 2082, 2188, 2347
water works system, relative electors to vote upon ques-	
tion of establishing (Int. No. 1489).....	2219

Utica Corn Hill Benefit Association, relative to incorporate
(Int. No. 481).....251, 854, 940, 1002, 1015 1043

Utica Corn Hill Benefit Association, relative to incorporate
(Rec. No. 385).....3152, 3479, 3572, 3623

V.

Vehicles, rubber tired, relative to use of lamps (Int. No.
1411).....1929, 2434, 2566, 2599, 2777, 2929

Veterans, relative to rights of (Rec. No. 498).....3914, 3996

Veterans, relative to participate in the exercises of Memo-
rial Day (Int. No. 205).....100, 189, 223, 246, 336, 376

Veterans, relative to participate in the exercises of Memorial Day (Rec. No. 7).....	293, 428, 485
Viereck, L. F., appointed clerk to committee on cities.....	63
Village Law, to amend, relative to general powers of board of trustees (Int. No. 1110)....	1081, 1510, 1566, 1589, 1739, 1853 1900, 2345, 1417, 2590, 2658, 3014, 3079, 3255
Village Law, to amend, relative to separate boards of commissioners and officers of fire departments (Int. No. 298).	141
Village Law, to amend, relative to dissolution of villages (Int. No. 980).....	869
Village Law, to amend, relative to dissolution of villages (Rec. No. 36).....	527, 723, 755, 794
Village Law, to amend, relative to establishment of dumping grounds (Int. No. 53)....	70, 132, 189, 221, 246, 336, 378, 954
Village Law, to amend, relative to jurisdiction of a police justice (Int. No. 254).....	121
Village Law, to amend, relative registration of electors for village elections (Int. No. 436).....	197
Village Law, to amend, relative to registration in villages of the 1st and 2d class (Int. No. 1071).....	1037
Village Law, to amend, relative submission of propositions for election of certain village officers (Int. No. 605).....	325 477, 509, 722, 816, 857, 927, 978, 1623
Village Law, to amend, relative to changing grade of streets or bridges (Int. No. 1326).....	1706, 2553, 2693, 2771 3015, 3092
Village Law, to amend, relative to street grades (Rec. No. 34)	527, 995, 1020, 1058

Village Law, to amend, relative to territory that may be incorporated (Int. No. 1173).....	1290
Village Law, to amend, relative to number of trustees in village of the 4th class (Int. No. 200)....	99, 132, 147, 159, 220 236, 362
Village Law, to amend, relative to acquisition of a water works system (Int. No. 1053).....	1010
Village and Town Law, to amend, relative to protection of the rights of taxpayers (Int. No. 117)....	82, 584, 817, 859, 1016 1040, 3798
Villages of the 4th class, relative to maintenance of private streets as parkways (Int. No. 1585).....	2753, 3071, 3181 3228, 3356, 3486, 3491, 3513, 3686
Vogelgesang, Theodore J., relative to practice medicine (Int. No. 1450).....	2054
Volunteers in United States service who were employees in a State department, relative appropriation for payment of salaries (Int. No. 353).....	165, 2310, 2692, 2768, 2910 3046, 4138

W.

Wallkill river, relative to improve channel (Int. No. 1374).	1869 3212, 3476, 3567, 3600
Walls, retaining, partition and cellar, relative to construction and alteration (Int. No. 1375)....	1869, 2158, 2358, 2483 2598, 2778, 2925
Walters, George, appointed Speaker's messenger.....	62
Warren county, relative to construct and maintain a dam across the Hudson river (Int. No. 1662) ..	3158, 3313, 3500, 3549

Warren, R. E., appointed assistant doorkeeper.....	62
Warwick, relative to legalize the bonds of Union Free School district No. 12 (Int. No. 41).....	67, 177, 190, 221, 233 611, 653
Washington county, relative to removal of gravel, sand, etc., from bed of Bonds creek (Int. No. 1471).....	2215, 3214 3280, 3322, 3325, 3343, 4031
Washington Hook and Ladder Company, Nassau county, relative to change name (Int. No. 1256).....	1486, 1641, 1772 1821, 1886
Washington Hook and Ladder Company, Nassau county, relative to change name (Rec. No. 232).....	1955
Wasmuth, Charles A., appointed page.....	62
Water districts in towns, relative to establish (Int. No. 669).....	388, 2005, 2320, 2563, 2599, 2778, 2930, 3796
Water, pure and wholesome, to repeal law, relative to sup- ply in certain counties (Int. No. 287).....	139
Waterford, relative to contract with water company for sprinkling Saratoga avenue (Int. No. 292).....	140, 590, 646, 667 860, 932, 1360
Waterford Electric Light and Power Company, relative to build dam across Hudson river (Rec. No. 103).....	1082, 1588 1681, 1765
Waterford, bridge over the Champlain canal at Fulton street, relative to construct (Int. No. 457).....	229, 3482, 3569 3586, 4032
Waterford Electric Light and Power Company, relative to build dam across Hudson river (Int. No. 783).....	523

- Waterloo, relative to amend and consolidate the charter
of village (Rec. No. 38).....527, 723, 755, 793, 1287
- Watertown, relative to incorporate the fire department
(Int. No. 1172)....1290, 1820, 1875, 2080, 2192, 2743, 3248, 3474
3546, 3680, 3700, 3810, 3890, 3993, 4030
- Watertown, to revise charter of city, relative to board of
water works (Rec. No. 94).....1007, 1374, 1480, 1534
- Watertown, relative to appropriation for repairs and im-
provements of State armory (Rec. No. 394)....3154, 3213, 3280
3691, 3814, 3826
- Watertown, relative to Roswell P. Flower Memorial
Library (Rec. No. 438).....3329, 3690, 3812, 3821, 4032
- Waterville, relative to lighting streets, public grounds and
buildings (Int. No. 1143)....1142, 2371, 2490, 2555, 2603, 2721
- Watervliet, relative construction of bridge over the Erie
canal at Seventh street (Int. No. 1069)..... 1036
- Watervliet, to amend charter, relative to official news-
paper (Int. No. 1081).....1039, 1496, 1619, 1647, 1935, 2032
2743, 3332, 4003, 4004, 4018, 4139
- Watervliet, relative to provide for board of water commis-
sioners and proper supply of water (Int. No. 403)....172, 467
836, 1018, 1073, 1169, 1271, 3549, 4029
- Watervliet, to amend charter, relative to board of electric
light commissioners (Int. No. 1468)....2152, 2358, 2483, 2557
2600, 2711, 3126
- Watkins, relative repairing and improving the harbor and
breakwater in Seneca lake (Int. No. 191)....98, 1429, 1618, 1645
1832, 1918, 3304, 3332

Watkins, relative water supply and maintenance of a system of sewers (Int. No. 181) . . . 93, 477, 501, 669, 759, 1212, 1623 1624, 1702, 2042, 2160, 2220, 2386, 2452, 3194	
Watkins, relative to provide for repairing the banks and channels of Glen creek (Int. No. 80) 76, 3321, 3337, 3870	
Watkins Glen Reservation, relative appropriation for State park (Int. No. 363) 166, 3475, 3567, 3582	
Watkins, charter of, to amend, relative to officers (Int. No. 1177) 1291, 1509, 1556, 1738, 1894, 2226, 2291, 2741	
Watling, Robert C., appointed committee clerk 63	
Wendell, Oscar, appointed page 63	
Western House of Refuge for Women, relative appropriation (Int. No. 1103) . . . 1080, 2057, 2326, 2384, 2561, 2642, 3136 3472, 3546	
Westchester county, relative to extend time for collection of taxes (Int. No. 1227) 1366, 2884, 2907, 3013, 3078, 3254	
Westchester county, relative collection of unpaid taxes (Int. No. 1049) . . . 1009, 1379, 1473, 1648, 1935, 2024, 2240, 2742	
Westchester county, relative to powers and duties of sheriff (Int. No. 1481) . . . 2217, 2449, 2567, 2599, 2776, 2928, 3735, 3869	
Westchester county, relative salary county judge (Rec. No. 455) 3563, 3874, 3912, 3920	
Westchester county, Society for Prevention of Cruelty to Children, relative annual appropriation (Int. No. 1582) . . 2674 3316, 3379, 3448, 3797	
Westchester county, to reimburse for money expended on account of the Croton dam riot (Int. No. 1282) 1490	
Westchester county, relative outdoor relief of the poor in the county (Int. No. 1340) . . . 1708, 2005, 2141, 2177, 2226, 2311 2500, 3246	

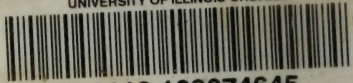
Westfield cemetery corporation, relative to incorporate (Int. No. 1674).....	3259, 3357, 3484, 3498, 3872
Wheatfield, relative to erection of a townhouse (Int. No. 186)	94, 178, 190, 220, 234, 413, 597, 621, 738, 832, 1130 1177, 1361
White Plains, relative to macadamizing streets and ave- nues (Int. No. 883).....	658, 994, 1019, 1070, 1266, 1315
White Plains, relative to macadamizing streets and ave- nues (Rec. No. 141).....	1217, 1788, 3063
White Plains, to incorporate the village, relative to powers and duties of trustees (Int. No. 1540).....	2421
Whitesboro, relative to reappropriate a certain sum for con- struction of bridge over the Erie canal on Brainard street (Int. No. 577).....	291, 621, 817, 858, 927, 977, 3253
Wilkinson, Charles, appointed page.....	62
Witt, Frank J., appointed page.....	62
Woodhull reservoir, appropriation for deepening (Rec. No. 505).....	4033, 4058, 4060
Wu Ting Fang, introduced to the Assembly by the Speaker.	105 2434, 2565, 3798
Wyoming county, relative to tax sales (Int. No. 1437).....	1994

Y.

Yale, John R., appointed librarian.....	62
Yonkers, relative to city court (Int. No. 878)....	657, 1093, 1352 1387, 1519, 1605
Yonkers, to amend law relative to the city court (Int. No. 598).....	324, 476, 506, 530, 669, 764

Yonkers, relative to city court (Rec. No. 54) ..	745, 985, 1021, 1061 1072
Yonkers, relative to city court and compensation of marshal (Rec. No. 168)	1485, 1627
Yonkers, to revise charter relative to fire department (Int. No. 879)	658, 986, 1019, 1072, 1264, 1316, 1417, 1864
Yonkers, relative to borrow money and issue bonds for park purposes (Int. No. 877) ...	657, 986, 1019, 1169, 1273, 1359, 1864
Yonkers, relative to organize and establish a police depart- ment (Int. No. 122)	83, 200, 232, 257, 336, 379, 609, 1321
Yonkers, relative appropriation for public library (Int. No. 1427)	1993
Yonkers, relative appropriation for public library (Rec. No. 300)	2275, 2761, 2888, 3053
Yonkers, to revise charter, relative to appointment and com- pensation of public officers (Int. No. 904) ...	741, 1090, 1205 1260, 1393, 1464, 1655, 1743
Yonkers, to revise charter, relative to appointment and com- pensation of public officers (Rec. No. 201)	1705, 1809, 1892 1966, 2744

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